

## **CALIFORNIA COASTAL COMMISSION**

NORTH CENTRAL COAST DISTRICT  
455 MARKET STREET, SUITE 228  
SAN FRANCISCO, CA 94105  
PHONE: (415) 904-5200  
FAX: (415) 904-5400  
WEB: [WWW.COASTAL.CA.GOV](http://WWW.COASTAL.CA.GOV)



# **F12a**

**A-2-SMC-22-0062 (POST/MidPen Agricultural and Open Space Parcels)**

**February 10, 2023**

**Correspondence**



## AGENDA ITEM F12a

tel: 916.455.7300 • fax: 916.244.7300  
510 8th Street • Sacramento, CA 95814

February 3, 2023

**SENT VIA EMAIL** (NorthCentralCoast@coastal.ca.gov;  
executivestaff@coastal.ca.gov)

North Central Coast District  
California Coastal Commission  
455 Market Street, Suite 300  
San Francisco, California 94105

**RE: Comments by San Mateo County Farm Bureau Concerning  
Appeal No. A-2-SMC-22-0062, Agenda Item F12a at  
Coastal Commission Meeting, February 10, 2023**

Dear Members of the California Coastal Commission:

These comments pertain to the Coastal Commission staff's Substantial Issue Determination with respect to the San Mateo County Farm Bureau's ("Farm Bureau") appeal of the Johnston Ranch project ("Project"). The Farm Bureau consists of the majority of farmers and ranchers in San Mateo County ("County"). The Farm Bureau is an independent, non-governmental, voluntary organization governed by and representing farm and ranch families throughout the County. One of the main purposes of the Farm Bureau is to analyze their problems and formulate actions to achieve educational improvement, economic opportunity, and social advancement with an overall goal to enhance the agricultural industry in the County by educating consumers and protecting farmers' interests.

After reviewing the Staff Report, analysis, and conclusions, the Farm Bureau respectfully disagrees that the appeal does not raise substantial issues and requests that the Commission not adopt the staff recommendation. The Farm Bureau disagrees that the Project conforms to the County's Local Coastal Plan ("LCP") and does not conflict with the Planned Agricultural District ("PAD") policies in place to protect prime agricultural land and protect that land from continued fragmentation. Additionally, the County's approval of the Project wrongly piecemealed analysis of the overall development of these parcels from future development decisions.

### **The Lot Line Adjustment Fails to Protect Agricultural Lands and Conflicts with the LCP**

The Staff Report concludes that there is no substantial issue regarding the Project's diminution of prime agricultural lands. This conclusion is connected to LCP Policies 5.7, 5.9, and PAD policies. LCP Policy 5.7 states that the division of prime agricultural land within a parcel is prohibited unless it can be shown that existing or potential agriculture productivity would not be reduced. As shown in maps provided by Midpeninsula Regional Open Space District ("MidPen") and Peninsula Open Space Trust ("POST") (collectively "applicants") the reconfiguration of parcels 1 and 2 divides prime agricultural land that is currently included in parcel 2. Therefore, the "adjustment" creates a division of what is currently prime agricultural land. The applicant's Master Land Division Plan ("MLDP") shows that there are currently 193 acres of prime agricultural lands. (MLDP, p. 5.) There are 66 acres of prime agricultural lands within parcel 2. After the lot line adjustment, parcel 2 would still contain 27 acres of prime agricultural land. Parcel 2, however, will only be covered by an open space easement and determined to be suitable "for open space, low-intensity public recreation, and grazing." (May 25, 2022 Planning Commission Staff Report attached as Exhibit A, Supplemental Statement, p. 6; see also Exhibit A, Supplemental Statement, Land Division Application, attachments A through J [maps depicting Project progression].)

The Staff Report concludes that "it does not appear that the land is less protected than it is now in relation to existing agricultural preserve contracts versus the mix of agricultural preserve contracts and easement associated with the County-approved project." (Staff Report, p. 11.) However, it is not clear that the land has the same protections subsequent to the County's action. The draft Open Space Easement provided by the applicants states that the purpose is to preserve natural and scenic open space, including grazing. The purpose, however, also includes "enhancement of future public recreational uses on the entire parcel, and to prevent any use of the subject property that will significantly impair or interfere with its open space value." (Exhibit A, Supplemental Statement, Attachment N.) This language shows that eventually the parcels will likely be completely converted to open space uses.

Additionally, "less protection" of land is not the standard in the LCP. The LCP prohibits the division of prime agricultural land within a parcel unless it can be demonstrated that "potential agricultural productivity would not be reduced." (LCP Policy 5.7.) Here, it is shown that parcel 2 will not be designated as an agricultural parcel. Therefore, the 27 acres of prime agricultural land are being divided and included in the open space parcel 2. (See also Exhibit A, Supplemental Statement, Land Division

Application, attachment G [map depicting prime agricultural lands and new parcels].)  
This is an impermissible division of agricultural lands.

The Staff Report repeatedly dismisses the importance of these 27 acres. “Although the Appellant claims a series of agricultural diminishments due to the County’s action, the record does not appear to support such a conclusion. In fact, *the majority* of prime agricultural lands would be concentrated on the three parcels that would continue in commercial agricultural row crop operations, and this land would be further protected via application of Farm Security Zone (FSZ) contracts.” (Staff Report, p. 10 [italics added].) The Staff Report’s statements that “the majority of prime agricultural lands,” and “most of the existing agricultural operations and almost all prime lands would be covered” illustrate that the acreage is in fact being divided. (Staff Report, p. 10.)

### **The Lot Line Adjustments are Just the First Step in Applicants’ Process**

The Staff Report states that there is no development being authorized by this CDP, however, it also states “The only change in potential use is that the open space easements (OSEs) that would be applied to the fourth parcel would also allow for public recreational trail use on this property in the future if it were to be pursued.” (Staff Report, p. 10.) Allowing parcels to be divided to promote recreational uses conflicts with overarching policies and regulations that protect agricultural lands and uses. (See Pub. Resources Code, § 30241.)

The County’s process piecemeals the Project in a way that hinders proper analysis of the future recreational development of these agricultural lands. Each entity responsible for making determinations in this process has indicated that the assertions brought by Appellant are better suited for a future application. This statement is indicative of the problem. Allowing this first step (changing the parcel lines) to occur without proper analysis ignores the likely future actions of the applicants, which would only further denigrate the ability to conduct agricultural operations on the Ranch.

### **Conclusion**

Appellant disagrees with the staff’s recommendations on both an evidentiary and policy level. The application conflicts with the LCP and the PAD. Both restrict subdivision of agricultural lands and using those lands for other purposes. However, this lot line adjustment does just that. Further, as agricultural operations in San Mateo County are already burdened by the cost of land in the area, the County’s standards regarding the division of these lands should be strictly enforced. Failure to enforce these rules and regulations increases the chances that agriculture in San Mateo County will ultimately

North Central Coast District  
California Coastal Commission  
February 3, 2023  
Page 4 of 4

cease to exist. This creeping elimination of agricultural lands defies the Coastal Act's requirement that the maximum amount of prime agricultural lands be maintained to ensure the future of coastal agricultural economies. (Pub. Resources Code, § 30241.)

Very truly yours,

**SOLURI MESERVE**  
A Law Corporation

By:   
Osha R. Meserve

Attachment:

Exhibit A     May 25, 2022 County of San Mateo Planning Commission Staff Report

# **EXHIBIT A**

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

**DATE:** May 25, 2022

**TO:** Planning Commission

**FROM:** Planning Staff

**SUBJECT:** EXECUTIVE SUMMARY: Consideration of a Coastal Development Permit, Planned Agricultural District Permit, and Certificates of Compliance (Type B) to confirm the separate legality of three parcels and a subsequent Lot Line Adjustment affecting those three and a fourth legal parcel. The project also includes a request to rescind Land Conservation (Williamson Act) and Farmland Security Zone Contracts and replace with same or with an Open Space Easement reconciling with the newly adjusted parcels. The project is appealable to the California Coastal Commission.

County File Number: 2021-00381 (POST/MidPen)

**PROPOSAL**

The applicants, Peninsula Open Space Trust and Midpeninsula Regional Open Space District, are requesting to legalize three parcels, and lot line adjust the parcel boundaries of four parcels. The subject agricultural lands have been acquired by POST in an effort to ensure that the agricultural land remains under productive agricultural use. The reconfigured boundaries of three of the parcels will correspond with the existing ongoing agricultural activities with future plans to transfer these parcels to a long-term agricultural operator. The remaining reconfigured parcel is planned to be transferred to Midpeninsula Regional Open Space District to serve as part of their trail network. The project also includes the rescindment and replacement of a Williamson Act Contract for a Farm Land Security Zone contract for the reconfigured agricultural parcels including one additional parcel which is not part of the adjustments but is part of the original contract, rescindment and exchange of an existing Land Conservation Act Williamson Act contract with a 10-year Open Space Easement, and rescindment and exchange of an existing Farmland Security Zone Williamson Act contract with a 20-year Open Space Easement.

**RECOMMENDATION**

1. Approve the Coastal Development Permit, and Planned Agricultural District Permits, Certificates of Compliance (Type B), and Lot Line Adjustment and Recommend that the Board of Supervisors approve County File PLN 2021-00381,

by making the required findings and adopting the conditions of approval listed in Attachment A.

2. Recommend that the Board of Supervisors find that the rescission and replacement of Land Conservation (Williamson Act) and Farmland Security Zone contracts on the subject four parcels to facilitate a Lot Line Adjustment between same parcels is consistent with the County General Plan, the Local Coastal Program (LCP), and Planned Agricultural District/Coastal District Zoning District Regulations, the Land Conservation Act, and Board of Supervisors Resolution No. 72854, relating to the implementation of the California Land Conservation (Williamson) Act program in San Mateo County;
3. Recommend that the Board of Supervisors adopt a resolution to rescind the existing California Land Conservation (Williamson Act) and Farmland Security Zone Contracts that cover five parcels and replace with a Farmland Security Zone contract on four of the parcels and California Open Space Easements on one of the parcels;

## **SUMMARY**

### **General Plan and Local Coastal Plan**

The request to establish three parcels as legal parcels, reconfigure the parcel boundaries, and rescind and replace existing Williamson Act and Farmland Security Zone contracts is consistent with the General Plan and the Local Coastal Program (where applicable) land use designation of "Agriculture". The lot line adjustment and contract amendments do not require the issuance of a Coastal Development Permit since these requests do not meet the definition of development of the Local Coastal Program, though the requests are consistent with the Local Coastal Program policies.

### **Zoning Regulations**

The requests are also consistent with the Planned Agricultural District Zoning District which seeks to preserve and foster existing agricultural operations in order to keep in agricultural production the maximum amount of prime agricultural land and all other lands suitable for agriculture. The majority of prime agricultural lands will be concentrated on three of the parcels and will continue in commercial agricultural operation. There are portions of prime agricultural lands which are unlikely to be farmed due to their location within or immediately adjacent to Higgins Canyon Road. An agricultural land management plan has been provided which describes how the agricultural productivity of the land will be fostered and preserved.

### **Subdivision Regulations**

Certificates of Compliance (Type B) are required because the parcels were not conveyed separately from the surrounding adjacent land and described in their current



configurations until after July 20, 1945, the effective date of the County's first Subdivision Ordinance. Since parcels for sale, lease, or finance, or that involved in a lot line adjustment must be deemed legal, the Certificates of Compliance (Type B) is required to fulfill that requirement.

Lot Line Adjustment will adjust the boundaries between four parcels in order to optimize agricultural use by protecting cultivated farmland on parcels that can sustain agricultural activities while encouraging grazing pen space and low-intensity recreation use on parcels that suitable for those uses. The reconfigured parcels conform to the requirements of the Planned Agricultural District (PAD) and Building regulations. While no physical development is proposed as part of the project the reconfigured parcels are of adequate size and configuration to provide suitable building sites. The reconfigured sites provide for routine and emergency access. The provision of adequate water supply and sewage disposal has been conditioned. The existing agricultural operations have existing water rights and reservoirs which will continue to serve these uses. Any future development would be subject to securing its own water and/or septic services. However, the resulting parcels are of a size and configuration that accommodating these onsite improvements appears feasible.

#### California Land Conservation Act and San Mateo County Williams Act Uniform Rules and Procedures

The request to rescind and replace the existing contracts is consistent with the Agricultural Preserve requirements of the California Land Conservation Act (Act) are consistent with the existing contracts. The existing 224 acres of existing cultivated agricultural lands will be covered by a single new 20-year Farmland Security Zone Contract and will continue in agricultural operation. The 207 acres that comprise the northern portion of re-configured Parcel 2 will be covered by a new 20-year Open Space Easement and the 227 acres which will make up the southern portion of re-configured Parcel 2 will be covered by a new 10-year Open Space Easement. Reconfigured Parcel 2 will continue to support grazing on the northern portion of the parcel, has the potential for reintroduction of grazing to the southern portion, and will allow the parcel to remain largely as open space with the potential of low intensity public recreation in the future.

As required by the Act, the Local Agency Formation Commission previously reviewed the requested and noted that no service boundaries, cities, special districts, or school districts would be adversely impacted.

The Agricultural Advisory Committee (AAC) reviewed the request at their February 14, 2022 meeting and continued the item to conduct site visits. The AAC reviewed the project again at their March 14, 2022 public hearing and recommended approval of the project.

## Environmental Review

The project is categorically exempt from the California Environmental Quality Act, pursuant to the provisions of Class 52, Section 15305 (Minor Alterations in Land Use Limitations) and Class 17, Section 15317 (Open Space Contracts or Easements), which exempts minor lot line adjustments and the establishment/changes to agricultural preserves.

ACC:cmc – ACCGG0156\_WCU.DOCX

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

**DATE:** May 25, 2022

**TO:** Planning Commission

**FROM:** Planning Staff

**SUBJECT:** Consideration of a Coastal Development Permit and Planned Agricultural District Permit pursuant to Sections 6328.4 and 6354, respectively, of the County Zoning Regulations; Certificates of Compliance (Type B) to confirm the separate legality of three parcels and a subsequent Lot Line Adjustment affecting those three and a fourth legal parcel, pursuant to Section 7134.2 and 7125 of the County Subdivision Regulations and a request to rescind Land Conservation (Williamson Act) and Farmland Security Zone Contracts and replace with same or with an Open Space Easement reconciling with the newly adjusted parcels, pursuant to Government Code Section 51257 of the California Land Conservation Act of 1965 and County Williamson Act Program. This project is appealable to the California Coastal Commission.

County File Number: PLN 2021-00381(POST/MidPen)

**PROPOSAL**

The applicants, Peninsula Open Space Trust and Midpeninsula Regional Open Space District, are requesting to legalize three parcels, and adjust the lot lines among four parcels. The subject agricultural lands have been acquired by POST in an effort to ensure that the agricultural land remains under productive agricultural use. The reconfigured boundaries of three parcels will correspond with the existing ongoing agricultural activities and will be covered by Farmland Security Zone Contract with future plans to transfer these parcels to a long-term agricultural operator. The remaining fourth parcel is planned to be transferred to Midpeninsula Regional Open Space District to serve as part of their trail network. The project also rescinding a Williamson Act contract and replacing that contract for a Farmland Security Zone contract for the reconfigured agricultural parcels, rescinding and replacing a Land Conservation Act Williamson Act contract with a 10-year Open Space Easement, and rescinding an existing Farmland Security Zone Williamson Act contract, and replacing that contract with a 20-year Open Space Easement. This project is appealable to the California Coastal Commission.

## **RECOMMENDATIONS**

1. Approve the Coastal Development Permit, and Planned Agricultural District Permits, Certificates of Compliance (Type B), and Lot Line Adjustment and recommend that the Board of Supervisors approve County File PLN 2021-00381, by making the required findings and adopting the conditions of approval listed in Attachment A.;
2. Recommend that the Board of Supervisors find that the rescission and replacement of Land Conservation (Williamson Act) and Farmland Security Zone contracts on the subject four parcels to facilitate a Lot Line Adjustment between those parcels is consistent with the County General Plan, the Local Coastal Program (LCP), and Planned Agricultural District/Coastal District Zoning District Regulations, the Land Conservation Act, and Board of Supervisors Resolution No. 72854, relating to the implementation of the California Land Conservation (Williamson) Act program in San Mateo County.
3. Recommend that the Board of Supervisors adopt a resolution to rescind the existing California Land Conservation (Williamson Act) and Farmland Security Zone Contracts that cover five parcels and replace with a Farmland Security Zone contract on four of the parcels and a California Open Space Easement on one of the parcels.

## **BACKGROUND**

Report Prepared By: Angela Chavez

Applicant: Mike Williams for Midpeninsula Regional Open Space District and Ben Wright for Peninsula Open Space Trust

Owner: Peninsula Open Space Trust

Location: Higgins Canyon Road, Unincorporated Half Moon Bay

APN(s): 064-370-200, 064-370-070, 065-210-240, 065-210-220, and 065-210-090

Size:

### **Existing**

064-370-200 (Parcel 1) – 48.80-acres

064-370-070 (Parcel 2) – 250.55-acres

065-210-240 (Parcel 3) – 183.39-acres

065-210-220 (Parcel 4) – 161.26-acres

065-210-090 – 48.78-acres (Not included as part of the lot line adjustment)

## Proposed

064-370-200 (Parcel 1) – 93-acres  
064-370-070 (Parcel 2) – 434-acres  
065-210-240 (Parcel 3) – 7-acres  
065-210-220 (Parcel 4) – 110-acres

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

General Plan Designation: Agriculture

Local Coastal Plan Designation: Agriculture

Sphere-of-Influence: Half Moon Bay

Williamson Act: Yes, there is a Land Conservation contract and a Farmland Security Zone which cover the project site. Parcels 065-210-220 (Parcel 4), and 065-210-240 (Parcel 3) are covered by a 10-year Agricultural Land Conservation Act (WA) Williamson Act contract (Contract No: 2005-222499). Parcels 065-210-090 (Not part of the lot line adjustment), 065-370-200 (Parcel 1), 064-370-070 (Parcel 2) are covered by a Farmland Security Zone (FSZ) Williamson Act contract (Contract No: 2005-222500).

Existing Land Use: Agriculture/Open Space

Water Supply: There is no municipal water service available to this area. There are existing agricultural water reservoirs which serve the agricultural parcels.

Sewage Disposal: There is no municipal sewer service available to serve this property. The existing agriculture development on the site does not require sewage disposal. Any future development would be subject to the necessary permits from both the County Planning and Building Department and Environmental Health Services.

Flood Zone: Portions of parcels 1, 2, and 3 which border Arroyo Leon are located in Zone A which is a Special Flood Hazard Area without an established Base Flood Elevation. There is also a small portion of Parcel 2 which has a Zone X designation but with a 0.2% of Annual Chance Flood Hazard. The remaining portions of parcels 1, 2, 3, and 4 are located in Zone X with areas of Minimal Flood Hazard. FEMA Community Panel Map Number 06081C0260E, Dated October 16, 2012.

Environmental Evaluation: Categorically exempt under provisions of Class 52, Section 15305 (Minor Alterations in Land Use Limitations) and Class 17, Section 15317 (Open Space Contracts or Easements) of the California Environmental Quality Act Guidelines.

Setting: The historical Johnston Ranch is an 868-acre property that has been owned by Peninsula Open Space Trust since 2001. The property supports ongoing agricultural operations along its western boundary. The remainder of the property is largely

undisturbed open space. The properties are located on the east side of Cabrillo Highway, each having frontage along Higgins Canyon Road. Arroyo Leon runs along the current eastern boundary of Parcel 1 and northern boundary of Parcel 3. The properties to the west of Parcels 1, 3, and 4 are located within the Incorporated area of the City of Half Moon Bay.

## **DISCUSSION**

### **A. KEY ISSUES**

#### **1. Conformance with the County General Plan**

Staff has reviewed the project and found it to be compliant with the policies of the General Plan. The relevant policies are discussed below:

##### **Soil Resources**

Policy 2.21 (*Protect Productive Soil Resources Against Soil Conversion*) seeks to regulate land use and subdivision of productive soils resources and encourage appropriate management practices to protect against soil conversion. The Productive Soils Resource Map of the General Plan identifies the subject parcels as having soils with agricultural capability; specifically suited for irrigated row crops, dryland farming, and non-soil dependent floriculture. The Certificates of Compliance (Type B) process to legalize parcels along with the subsequent Lot Line Adjustment (LLA) are considered “land divisions”. The project will consolidate the lands which are currently farmed. The existing parcels each have portions of land defined as Prime Agricultural Lands as well as portions defined as Lands Suitable for Agriculture, and Other Lands.

The reconfigured parcels will consolidate the majority of the lands identified as prime agricultural lands on reconfigured parcels 1, 3, and 4. To ensure that the lands which are currently farmed remain under productive agricultural use, the existing FSZ contract will be modified to cover these areas. The areas which are not currently farmed will be covered by an open space easement in accordance with the requirements of the Williamson Act Program. More specifically, the Williamson Act Program requires that the reconfigured parcels go through a rescind and replace process to address new parcel boundaries and continued resource protection of these lands. The project does not include physical development or ground disturbance and existing uses will continue.

##### **Rural Land Use**

Policy 9.28 (*Encourage Existing and Potential Agricultural Activities*) seeks to encourage the continuance of existing agricultural and agriculturally

related activities and Policy 9.31 (Protection of Agricultural Lands) seeks to apply methods which assist in the retention and expansion of lands with agricultural activities such as density bonuses and enforceable restrictions (e.g., easements, contracts or deed restrictions, or other appropriate methods).

The parcels are currently designated as Agricultural Preserves and have executed FSZ contracts in place. As noted previously, the reconfigured parcels will consolidate the existing agricultural production areas over three parcels that will be protected by new a FSZ contract in conformance with the California Land Conservation Act and San Mateo County Williamson Act Program, is consistent with these policies. The FSZ contract will restrict the use of the land to ongoing commercial agriculture, agriculturally related uses, and compatible uses in exchange for a property tax benefit that encourages retaining the property in agricultural production. Parcel 2 will be covered by an open space easement to allow for continued resource protection of this area.

Policy 9.29 (*Criteria for Division*) requires a master land division plan for land division of parcels designated as Agriculture. This policy requires that the master land division plan shall include designating agricultural and non-agricultural parcels, retaining areas containing soils with agricultural capability in appropriately sized parcels, creating or maintaining the size of agricultural parcels to ensure that the existing or potential agricultural productivity is not diminished, and clearly defining buffer areas between agricultural and non-agricultural uses. The project parcels are designated Agriculture according to the General Plan Land Use Map and a master land use plan was submitted as part of this project. The reconfigured parcels will be of sizes and in configurations which will allow for continued support of agricultural capability. Reconfigured parcels 1, 3, and 4 are currently being farmed and will continue to be farmed and the new parcel configuration will provide a clear distinction between the areas utilized for agriculture and those that are not. While there are no ongoing agricultural activities on what will be reconfigured parcel 2, it is still large enough to support them if they should be pursued in the future.

## 2. Conformance with the Local Coastal Program

### For the Certificates of Compliance

The project was found to conform with the following applicable Local Coastal Program (LCP) Policies:

Policy 1.29 (*Legalizing Parcels*) requires a Coastal Development Permit when issuing a Certificate of Compliance (Type B) to legalize parcels under

Section 66499.35(b) of the California Government Code (i.e., parcels that were illegally created without benefit of government review and approval).

The County's first subdivision ordinance requiring a subdivision permit for parcel creation went into effect on July 20, 1945. Staff's review of a chain of title found that there were several deed transfers post 1945 that were not processed for compliance with the County's subdivision regulations. The Type B is required because the subject parcels were not yet conveyed separately and in their current configurations until the late 1960s and 1990s with the benefit of a subdivision permit. More specifically, Parcel 2 was conveyed in 1969, Parcel 3 was conveyed in 1998, and Parcel 4 was conveyed in 1992. Therefore, pursuant to California Government Code 66499.35(b) and LCP Policy 1.29, a Certificate of Compliance (Type B) and Coastal Development Permit, respectively, are being sought under the subject application for Parcels 2, 3, and 4. Parcel 1 is a legal parcel as it was part of a recorded subdivision application processed by the City of Half Moon Bay in August 1989.

Policy 1.30.d. (*Coastal Development Permit Standards of Review for Legalizing Parcels*) provides that for undeveloped parcels created before Proposition 20 (effective date January 1, 1973) or the Coastal Act of 1976, that a coastal permit shall be issued to legalize the parcel if the parcel configuration will not have any substantial adverse impacts on coastal resources, in conformance with the standards of review of the Coastal Development District regulations. Permits to legalize this type of parcel shall be conditioned to maximize consistency with LCP resource protection policies and a separate Coastal Development Permit, subject to all applicable LCP requirements, shall be required for any development of the parcel. The legalization of the subject parcels only memorializes boundaries that have historically been in this general configuration. This legalization does not impact the existing agricultural activities or prime agricultural lands and will continue to protect these lands via the FSZ Contract. The legalization does not impact sensitive habitats or riparian habitats (Arroyo de Leon) which runs through several areas of the project site.

For the Lot Line Adjustment:

A Coastal Development Permit is not required for the lot line adjustment as the proposed lot line adjustment does not meet the definition of development under the California Coastal Act and the County's Local Coastal Plan. Specifically, Policy 1.2 (*Definition of Development*) of the LCP states:



“define development to mean:

subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, **except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use;**”

However, Staff has reviewed the proposed lot line adjustments and found them to be in full conformance with Section 6328.15 of the San Mateo County Zoning Regulations and with the applicable policies of the Local Coastal Program (LCP). An LCP checklist was completed, and staff determined that no policies are applicable to this development, as the proposed lot line adjustment does not result in any new physical development (at this time) nor does it affect coastal or agricultural resources. If new development is proposed in the future, any and all proposals will be evaluated for conformance with the Local Coastal Program at that time.

3. Conformance with the Planned Agricultural District (PAD) Regulations

Section 6354 requires the issuance of a PAD permit for all land divisions (including lot line adjustments) within PAD zoned districts. Section 6355 contains the substantive criteria for the issuance of a PAD permit. A project must be found to comply with these criteria before a permit can be issued.

1. General Criteria

a. **The encroachment of all development upon land, which is suitable for agriculture, shall be minimized.**

The current project is not proposing any new physical development. The Certificates of Compliance (Type B) are necessary to establish the legality of the parcels in question. The proposed lot line adjustment will consolidate existing agricultural operations on to three parcels. There is no development proposed which would encroach upon land suitable for agriculture. The reconfigured parcels that currently do not support agricultural activities will be dedicated as open space. However, this consolidation does not preclude the possibility of future agricultural operations.

- b. **All development permitted on-site shall be clustered.**

As stated previously, the project includes no development. The proposed lot line adjustments are being proposed to consolidate the existing agricultural activities onto solely agricultural parcels. The new configuration of Parcel 3 will reduce it in size with the intent of serving as a farm center to support reconfigured Parcels 1 and 4.

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

The processing of this application is in full accordance with The Development Review Criteria cited within Chapter 20A.2 of the County Zoning Regulations. Planning staff has completed a review of the project for compliance with these criteria and determined that no policies are applicable to this particular project, as these lot reconfigurations and Williamson Act contracts do not result in any physical development at this time.

2. Water Supply Criteria

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

The agricultural parcels currently have water entitlements in place. The lot line adjustments have no impact on the ongoing agricultural activities, nor do they diminish the water supply to these activities or to sensitive habitats, as the water reservoirs will remain on the agricultural parcels. If water dependent development is proposed in the future those projects will be required to demonstrate the provision of adequate water.

- b. **All new non-agricultural parcels are severed from land bordering a stream and their deeds prohibit the transfer of riparian rights.**

As mentioned previously Arroyo Leon runs along the boundary between existing parcels 1 and 2. The reconfigured parcels will relocate the boundary so that this portion of the creek is located on parcel 1. Portions of the creek also run through parcel 3 along Higgins Canyon Road and will become part of reconfigured parcel 2. While the areas of reconfigured parcel 2 are currently not farmed, they have the land classification and

could be farmed in the future and therefore is not considered a "non-agricultural" parcel. Further the open space easements (proposed for reconfigured parcel 2) as part of this project are allowed by the Williamson Act and are consistent with agriculture uses.

3. Criteria for the Division of Prime Agricultural Land

- a. **Prime Agricultural Land which covers an entire parcel shall not be divided.**

While prime soils are present, only parcel 1 is entirely covered. All the other parcels only contain portions of prime soils and those areas will largely be captured by the reconfigured parcel boundaries.

- b. **Prime Agricultural Land within a parcel shall not be divided unless it can be demonstrated that existing or potential agricultural productivity of all resulting parcels would not be diminished.**

The overall goal of the project is to protect the existing agricultural areas. By consolidating these areas and covering them with the associated Open Space and FSZ contracts the potential for existing and future agricultural productivity is protected.

- c. **Prime Agricultural Land within a parcel will not be divided when the only building site would be on such Prime Agricultural Land.**

As discussed previously the purpose of the project is to consolidate the lands currently being utilized for agricultural purposes. The proposed reconfigured boundaries largely follow the lands identified as supporting prime soils. There are portions of existing and reconfigured parcel 2 that run parallel to Higgins Canyon Road that do support prime soils. However, these areas have been previously converted to support barn structures and other buildings utilized to support the agricultural activities. No other buildings are contemplated at this time.

4. Criteria for the Division of Lands Suitable for Agriculture and Other Lands

- a. **Lands suitable for agriculture and other lands shall not be divided unless it can be demonstrated that existing or**

**potential agriculture productivity of any resulting agricultural parcel would not be diminished.**

As mentioned previously each of the parcels contain portions of prime soils. However, large portions of parcels 2, 3, and 4 are classified as land suitable for agriculture. The proposed lot line adjustment consolidates the areas that currently support agriculture but also consolidates the lands suitable for agriculture. The proposed open space easements protect lands suitable and do not preclude future use for agriculture.

5. Conformance with the Planned Agricultural District Requirements

a. Master Land Division Plan

Section 6364.A of the PAD regulations requires that a Master Land Division Plan (MLDP) be filed demonstrating how the parcel will be ultimately divided according to maximum density of development permitted and which parcels will be used for agricultural and non-agricultural uses if conversions are permitted.

The applicant has provided the MLDP and it has been included as an attachment in this report. The LLA includes four of the eight parcels that make up the historical Johnston Ranch. These four parcels constituting 644 acres of the total 868 acres, will be reconfigured as described in the MLDP to preserve cultivated farmland and open space to continue in grazing, and to allow for future public trails.

b. Agricultural Land Management Plan

Section 6364.C. of the PAD regulations requires submittal of an Agricultural Land Management Plan for parcels 20 acres or larger in size where lands are converted to a non-agricultural use. The plan shall demonstrate how the agricultural productivity of the land is fostered and preserved in accordance with the requirements of Sections 6350 and 6355.

An agricultural land management plan has been provided by the applicant and has been included in the project summary attachment to this report. The project preserves the agricultural uses on parcels 1, 3, and 4 via the reconfigured parcel boundaries and the new FSZ contract. While there are no existing agricultural activities on parcel 2 it could support activities in the future. The Open Space Easements will not

preclude agriculture activities and will provide continued protection of the parcel leaving it available for the limited uses provided by the easement provisions.

4. Conformance with the Subdivision Regulations

For the Lot Line Adjustment:

Section 7126 of the Subdivision Regulations stipulates the following criteria that must be met for approval of lot line adjustments:

- a. **Conformity with applicable General Plan, specific plan, LCP, and Zoning and Building Regulations, although existing legal non-conforming situations may continue provided, they are not aggravated by the lot line adjustment.**

The project complies with the applicable General Plan, LCP, and Zoning Regulations, as discussed above. The reconfigured parcels 1, 3, and 4 will continue to support agricultural activities and parcel 2 consolidates the open space land. No development for any of the affected parcels is proposed at this time. Should future development be proposed, any and all proposals will be required to comply with all General Plan, Local Coastal Program, and Zoning Regulations at that time.

- b. **Suitability of building sites created by the lot line adjustment.**

The parcels as proposed are of adequate size and configuration to accommodate development. However, any future development will be required to comply with all applicable regulations. A separate entitlement process would be required for future development and would be subject to securing a domestic water well and septic system.

- c. **Provision for adequate routine and emergency access.**

All affected parcels have adequate existing access for routine and emergency purposes.

- d. **Provision for adequate water supply and sewage disposal.**

The subject parcels currently have water entitlements for existing operations. No public sewage facilities are available for this location. However, the parcels are of adequate size to support septic systems (should any future development be proposed) pending review and approval by County Environmental Health Services.

e. **Avoiding or minimizing impacts upon scenic corridors, wetlands, coastal resources, or authorized coastal development.**

The proposed project location is within both the Highway 92/Cabrillo and Higgins Purisima County Scenic Corridors. The proposed lot line adjustment and associated contracts do not propose any physical development at this time that would result in visual impacts. The proposed parcel configurations protect existing agricultural development, provide a buffer to riparian/sensitive habitat (Arroyo Leon), and provide the opportunity to offer low impact public recreation in the future.

For the Certificates of Compliance:

Pursuant to Section 7134.2.b.(2) of the County's Subdivision Regulations, a parcel depicted as a lot on a subdivision map approved and recorded by the County prior to July 20, 1945 shall be issued a Certificate of Compliance (Type B) upon demonstrating that the current parcel boundaries match those depicted on the approved subdivision map and the parcel was first conveyed separately from adjoining lands on or after July 20, 1945. Furthermore, Section 7134.4.c requires such Certificate of Compliance (Type B) to be subject to conditions of legalization, if necessary, and a Coastal Development Permit if within the Coastal Zone. Pursuant to Section 7134.6.b. conditions of approval may include any conditions which would have been applicable to the division of the property at the time the applicant acquired his or her interest in the property except that compliance with the conditions is not required until the time at which a building permit or other grant of approval for development of the property is issued by the County, and the Community Development Director may defer placing conditions which relate to future development of the property, such as access and utility improvements, to such time that specific development is proposed on the property.

The County's first subdivision ordinance requiring a subdivision permit for parcel creation went into effect on July 20, 1945. Staff's review of a chain of title found that there were several deed transfers post 1945 that were not processed for compliance with the County's subdivision regulations. The Type B is required because the subject parcels were not yet conveyed separately and in their current configurations until the late 1960s and 1990s with the benefit of a subdivision permit. More specifically Parcel 2 in 1969, Parcel 3 in 1998, and Parcel 4 in 1992 were conveyed by deed. Therefore, pursuant to California Government Code 66499.35(b) and LCP Policy 1.29, a Certificate of Compliance (Type B) and Coastal Development Permit, respectively, are being sought under the subject application for the Parcels 2, 3, and 4. Parcel 1 is a legal parcel as it was part of a recorded

subdivision application processed by the City of Half Moon Bay in August 1989.

The legalization of the subject parcels only memorializes boundaries that have historically been in this general configuration. This legalization does not impact the existing agricultural activities or prime agricultural lands and will continue to protect these lands via the FSZ contract. The legalization does not impact sensitive habitats or riparian habitats (Arroyo de Leon) which runs through several areas of the project site. The proposed Open Space Easement also ensures continued resource protection of those lands not covered by the FSZ contract.

5. Conformance with the Williamson Act

Landowners who wish to add non-contracted land to an existing contract(s), convert contracted land from one type of contract to another, or subdivide property that is under an existing contract(s) may apply to modify them. This is accomplished by rescinding the existing contract(s) and simultaneously reentering into a new contract(s) pursuant to Government Code Section 51255, referred to as "rescission/reentry." New contract boundaries must be in compliance with the current Government Code provisions and the Williamson Act guidelines and shall not be for less aggregate acreage than originally contracted. All rescission/reentries must be consistent with applicable Government Code provisions, County General Plan and Zoning Ordinances, Subdivision Ordinance, and the Uniform Rules. Rescission/Reentry associated with Lot Line Adjustment requires the following findings:

- a. **The new contract(s) would initially restrict land within adjusted boundaries of legal lots for at least ten (10) years for LCA Contracts and at least twenty (20) years for FSZA/LCA Contracts.**

Regarding existing contract number 2005-222499, the western portions of existing parcels 3 and 4 would be rescinded from the 10-year Land Conservation Act (LCA) Contract and the contract would be replaced by a new 20-year FSZ contract. The eastern portions of parcels 3 and 4 which will be reconfigured to parcel 2 will enter a 10-year Open Space Easement (OSE).

Regarding existing contract number 2005-222500, the applicant seeks to rescind and reenter the 20-year FSZ contract on reconfigured parcels 1 and 4. In addition, it will include parcel 065-210-090 (parcel 065-210-090 is not part of the lot line adjustment but is covered under the existing contract). The northern portion of reconfigured parcel 2 will be replaced by a 20-year OSE.

All parcels will be restricted for at least as long as the term of their current restrictions.

- b. **There would be no net decrease in the amount of the aggregate acreage (total contract acreage combined between the parcels involved in the lot line adjustment) subject to the existing and proposed contract(s).**

The total acreage in the four reconfigured parcels would remain the same. Only the type of contract/easement would differ.

- c. **At least ninety percent (90%) of the originally contracted land would be included within a new contract(s).**

All of the originally contracted land will be included in new contracts.

- d. **The resulting legal lot area subject to contract would be large enough to sustain qualifying agricultural uses as defined by Section 51222.**

Based on the revised parcel sizes, all four of the reconfigured parcels are large enough to sustain qualifying agricultural uses. While parcel 3 is smallest of the parcels it will be tied in perpetuity to reconfigured parcel 4 via a conservation easement.

- e. **The lot line adjustment would not compromise the long-term agricultural production of land within the proposed legal lots or other agricultural lands subject to contract(s).**

The parcel reconfiguration will help to sustain long-term agricultural uses under consolidated parcels. Separating the prime agricultural lands from lands suitable for agriculture and covering the reconfigured parcels with the 20-year FSZ contract reduces the potential for conversion, while land better suited for open space and public recreation uses due to the slope and soil type will be aggregated under two OSEs on reconfigured parcel 2.

- f. **The lot line adjustment would not likely result in the removal of adjacent land from agricultural uses.**

There is no reason to expect the removal of adjacent lands from agricultural uses. The parcels to the west of the project site are not agriculturally zoned. While all other adjacent parcels are agriculturally zoned, the lot line adjustment does not involve aspects which would impede or impact adjacent lands.



- g. **The lot line adjustment would not result in a greater number of developable legal lots than existed prior to the adjustment or an adjusted lot that is inconsistent with the County General Plan.**

No additional lots will be created by the LLA, only their configurations will change.

B. REVIEW BY AGRICULTURAL ADVISORY COMMITTEE

On February 14, 2022, the Agricultural Advisory Committee (AAC) considered the subject project and continued consideration of the item so that committee members interested in doing so could visit the project site. On March 14, 2022, the AAC reviewed and recommended approval of the proposed project with no recommended conditions of approval.

C. ENVIRONMENTAL REVIEW

The proposed project is categorically exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines, under as follows:

Section 15305 (Minor Alterations to Land Use Limitations): This exemption includes minor lot line adjustments in areas with a slope of less than 20% that do not result in any changes in land use or density. The areas in which the lot lines are to be adjusted have no more than 10% slope and the Certificates of Compliance only confirm legality of the parcels. Based on the resulting sizes the post adjusted parcels comply with the minimum parcel sizes; no changes in land use or density will result.

Section 15317 (Open Space Contracts or Easements): This exemption includes the establishment of agricultural preserves, and the creation and renewal of open space contracts under the Williamson Act. This project rescinds and replaces both the WA and FSZ contracts on four parcels to correlate to the newly configured parcels and one additional parcel which is not part of the lot line adjustment but was party to the original contract. In addition, the exemption allows for the creation of open space easements, as is proposed for one of the reconfigured parcels.

D. REVIEWING AGENCIES

Department of Public Works  
Cal-FIRE  
Environmental Health Services  
California Coastal Commission

## **ATTACHMENTS**

- A. Recommended Findings and Conditions of Approval
- B. Location/Vicinity Map
- C. Proposed LLA Map
- D. Applicant's Supporting Statements
- E. Draft Resolutions Rescinding and Replacing of Williamson Act and Farmland Security Zone Contracts with new Farmland Security Zone Contracts and Open Space Easements

ACC:cmc – ACCGG0157\_WCU.DOCX

County of San Mateo  
Planning and Building Department

**RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL**

Permit or Project File Number: PLN 2021-00381

Hearing Date: May 25, 2022

Prepared By: Angela Chavez  
Project Planner

For Adoption By: Planning Commission

**RECOMMENDED FINDINGS**

For the Environmental Review, Find:

1. That the project is categorically exempt under the provisions of Class 5, Section 15305 of the California Environmental Quality Act Guidelines (Minor Alterations to Land Use Limitations), which is applicable in areas with an average slope of less than 20% (the slopes of the areas of alterations is no more than 10%) which do not result in changes in land use or density (the parcel legalizations and boundary adjustments will not increase the number of parcels or allowable density); and
2. That the project is categorically exempt under the provisions of Class 17, Section 15317 of the California Environmentally Quality Act Guidelines (Open Space Contracts or Easements), which includes the making and reconfiguration of open space contracts under the Williamson Act.

For the Coastal Development Permit (CDP), Find:

For the Certificates of Compliance

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 with the plans, policies, requirements and standards of the San Mateo County Local Coastal Program (LCP), specifically with regard to Locating and Planning New Development Component of the Local Coastal Program.
4. That the project is not located between the nearest public road and the sea, or the shoreline of Pescadero Marsh, and therefore is not subject to conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Section 30200 of the Public Resources Code).

5. That the project conforms to specific findings required by policies of the San Mateo County LCP with regard to Legalizing Parcels and Coastal Development Permit Standards of Review for Legalizing Parcels as legalization of the parcels conforms with the Agricultural land use designation, the requirement for a Coastal Development Permit to legalize the parcel is being pursued under the subject application, and as conditioned there is no evidence that legalization of the three parcels will have any adverse impact on coastal resources.

For the Planned Agricultural District (PAD) Permit, Find:

6. That the project complies with all applicable criteria for issuance of PAD permit contained in Section 6355 of the County Zoning Regulations, including:

General Criteria

- a. That the encroachment of all development upon land which is suitable for agricultural use is minimized since no development is presently proposed with this application. The project will consolidate lands currently utilized for agricultural activities and will protect both all of the project area with either a Farmland Security Zone Contract or Open Space Easement.
- b. That all development permitted on the site is clustered. No development is proposed as part of this project.
- c. That every project shall conform to the Development Review Criteria contained in Chapter 20A.2 of the San Mateo County Zoning Regulations. No development or change of use is currently proposed as part of this project. Any future development will be subject to a determination of compliance with all applicable Development Review Criteria in Chapter 20A.2 including Section 6324.1 (*Environmental Quality Criteria*), Section 6324.2 (*Site Design Criteria*), Section 6324.3 (*Utilities*), Section 6324.4 (*Water Resources Criteria*), and Section 6324.6 (*Hazards to Public Safety Criteria*). Furthermore, approval of an adequate domestic water supply and sewage disposal system will be required by the Environmental Health Division at such time future development is proposed.

Water Supply Criteria

That any potential future development may be required to comply with all County Environmental Health Division's standards and regulations for a well and/or onsite wastewater treatment system to serve such development. Given the proposed parcel configuration and contract protections there is no expected impacts to diminish water supplies serving the existing agricultural crops.

### Criteria for the Division of Prime Agricultural Land

- a. That Prime Agricultural Land which covers an entire parcel will not be divided. The project proposes to consolidate, rather than divide, parcels consisting of prime agricultural land in compliance with the agricultural criteria of the PAD. Each of the project parcels has portions of Prime Agricultural Land and supports productive agricultural crops. The parcel boundaries will be adjusted to limit useable Prime Agricultural Land to Parcels 1,3, and 4.
- b. That Prime Agricultural Land within a parcel will not be divided as the project proposes to consolidate, rather than divide, parcels consisting of prime agricultural land in compliance with the agricultural criteria of the PAD. While there are portions of prime agricultural land on Parcel 2 these are largely not farmable due to their relationship to Higgins Canyon Road (just at the road or within the right-of-way).
- c. That Prime Agricultural Land within a parcel will not be divided when the only building site would be on such Prime Agricultural Land. The project proposes to consolidate the current agriculture uses on three of the parcels which will all be covered by Farmland Security Zone contracts. The remaining parcel will largely consist of lands suitable for agriculture and other lands. These lands will be covered by an Open Space Easement.

### Procedural Criteria for Issuance of a Planned Agricultural Permit

#### a. Master Land Division Plan

That before any division of land, the applicant shall file a Master Land Division Plan demonstrating how the parcel will be ultimately divided according to maximum density of the development permitted and which parcels will be used of agricultural and non-agricultural uses. Previous density analysis determined that the project parcels resulted in approximately 7.6 density credits. While the project includes the issuance of three Certificates of Compliance (Type B), these parcels will be reconfigured to consolidate the prime agricultural lands. The project applicants also propose to record Farmland Security Zone Contracts and Open Space Easements over the reconfigured parcels. No future development is proposed as part of this project. All future development will be subject to further County review and approval if any should be proposed.

#### b. Easements on Agricultural Parcels

That the applicant shall grant to the County an easement containing a covenant, running with the land in perpetuity, which limits the use of the land covered by the easement to agricultural uses, non-residential development

customarily considered accessory to agricultural and farm labor housing. The applicant is proposing to cover the existing agricultural uses with a Farmland Security Zone contract and remaining area with an Open Space Easement to ensure continued long-term use of the land for agricultural production/resource protection.

c. Agricultural Land Management Plan

That for parcels 20 acres or more in size before division or conversion, the applicant shall file an agricultural land management plan demonstrating how, if applicable, the agricultural productivity of the land will be fostered and preserved. The subject agricultural lands have been acquired by POST in an effort to ensure that the agricultural land remains under productive agricultural use. The reconfigured boundaries of parcels 1,3, and 4 will correspond with the existing ongoing agricultural activities and will be covered by Farmland Security Zone Contract with future plans to transfer these parcels to a long-term agricultural operator. Parcel 2 is planned to be transferred to Midpeninsula Regional Open Space District to serve as part of their trail network. While the areas of reconfigured parcel 2 are not currently being farmed there are no limitations to the future use of this parcel for agricultural related uses. Therefore, this project will foster and preserve the agriculture of the project lands.

For the Conditional Certificates of Compliance (Type B), Find:

7. That the processing of the Certificate of Compliance (Type B) is in full conformance with the County Subdivision Regulations Section 7134 (Legalization of Parcels; Certificate of Compliance).
8. That the processing of the Certificate of Compliance (Type B) is in full conformance with Government Code section 66499, et seq.

For the Lot Line Adjustment (LLA), Find:

9. That the processing and conditions of approval of the lot line adjustment are in full conformance with Section 7124 of the San Mateo County Subdivision Regulations. This lot line adjustment is consistent with the criteria set forth in Section 7126.1 as the new parcels meet the minimum parcel size, emergency and routine access exists, have existing water entitlements, the site currently is not served by public sewage facilities but are of adequate size to support a septic system, the land taken from one parcel is added to an adjoining parcel, ensuring that no greater number of parcels than originally existed is created, and the project will not result in impacts upon scenic corridors, wetlands, coastal resources, or authorized coastal development.

For the Rescinding and Replacement of the Williamson Act Contracts, Recommend:

10. The new contract or contracts would enforceably restrict the adjusted boundaries of the parcels for an initial term for at least as long as the unexpired term of the rescinded contract or contracts but for not less than 10 years.
11. There is no net decrease in the amount of the acreage restricted. In cases where parcels involved in a lot line adjustment are all subject to contracts rescinded pursuant to Section 51257 of the California Land Conservation Act, this finding is satisfied as the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts.
12. At least 90 percent of the land under the former contract or contracts remains under the new contract or contracts. All lands currently covered by a contract will continue to be covered by either a Farmland Security Zone or Open Space Easement contract.
13. After the lot line adjustment, the parcels of land subject to contract will be large enough to sustain the agriculture use as defined in Section 51222 of the California Land Conservation Act. The resulting parcel configurations do not result in a greater number of parcels and comply with the general plan in their resulting size and design to allow for the existing uses to continue.
14. The lot line adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts. The proposed lot line adjustment changes the internal boundaries between four parcels which were historically conveyed jointly. The modifications to consolidate the existing agricultural uses on three of the parcels is not expected to have any impacts to adjacent lands.
15. The lot line adjustment is not likely to result in the removal of adjacent land from agricultural use. The proposed lot line adjustment changes the internal boundaries between four parcels which were historically conveyed jointly. The modifications to consolidate the existing agricultural uses on three of the parcels is not expected to have any impacts to adjacent lands.
16. The lot line adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the general plan. The project reconfigures the boundaries to consolidate existing agricultural activities. The resulting parcel configurations do not result in a greater number of parcels and comply with the general plan in their resulting size and design to allow for the existing uses to continue.

## **RECOMMENDED CONDITIONS OF APPROVAL**

### **Current Planning Section**

1. This approval applies only to the proposal as described in the plans, supporting materials, and reports approved by the Planning Commission on May 25, 2022. Minor revisions or modifications to the project may be made subject to the review and approval of the Community Development Director, if they are consistent with the intent of and in substantial conformance with this approval.
2. The subject Certificates of Compliance (Type B) shall be recorded prior to the recordation of any other documents associated with this project.
3. The applicant is advised that prior to recordation of the Certificate of Compliance, Lot Line Adjustment, and Rescindment and Replacement Contract documents the owner/applicant shall provide the project planner with a check to cover recording fee costs. The project planner will confirm the amount prior to recordation.
4. For Parcels Not of Record, Acreage, and Multi-Directional Adjustments In accordance with Section 8762 of the State Business and Professions Code, for parcels not of record, acreage and lot line adjustments involving multi-directional adjustments, the applicant will be required to submit a Record of Survey map and numerical closure sheets for all parcels, in addition to the deeds and legal descriptions to be recorded as specified in Section 7128.1a, of the County Subdivision Regulations.
- 5.. For those lot line adjustments described in Section 7128.1b, of the County Subdivision Regulations, the applicant has the option to record a parcel map in accordance with Article 3, Chapter 2 of the Subdivision Regulations, in lieu of submitting the items specified in Section 7128.1b. However, no parcel map, final map, or tentative map shall be required as a condition to the approval of a lot line adjustment that has obtained all other required approvals.
6. Prior to recordation of the lot line adjustment, the applicant shall seek and obtain from the City of Half Moon Bay, by merger, lot line adjustment, or whatever other process the City provides, final approval of the reconfiguration of the lot lines as depicted in the project application that fall within city limits.

### **Environmental Health Services**

7. Any future development of housing, residential structures or any other structures requiring potable water supply or containing fixtures requiring septic wastewater disposal will require provision for adequate water supply and sewage disposal in accordance with County codes.



Review by Cal-FIRE

8. The applicant shall comply with all Cal-Fire requirements prior or as part of the recordation of the Lot Line Adjustment

ACC:cmc – ACCGG0157\_WCU.DOCX



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

# ATTACHMENT B



Cabrillo Highway (HWY 1)

Properties not included in project scope.

Higgins Canyon Road

0.57 0 0.28 0.57 Miles

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© Latitude Geographics Group Ltd.

1: 18,056



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



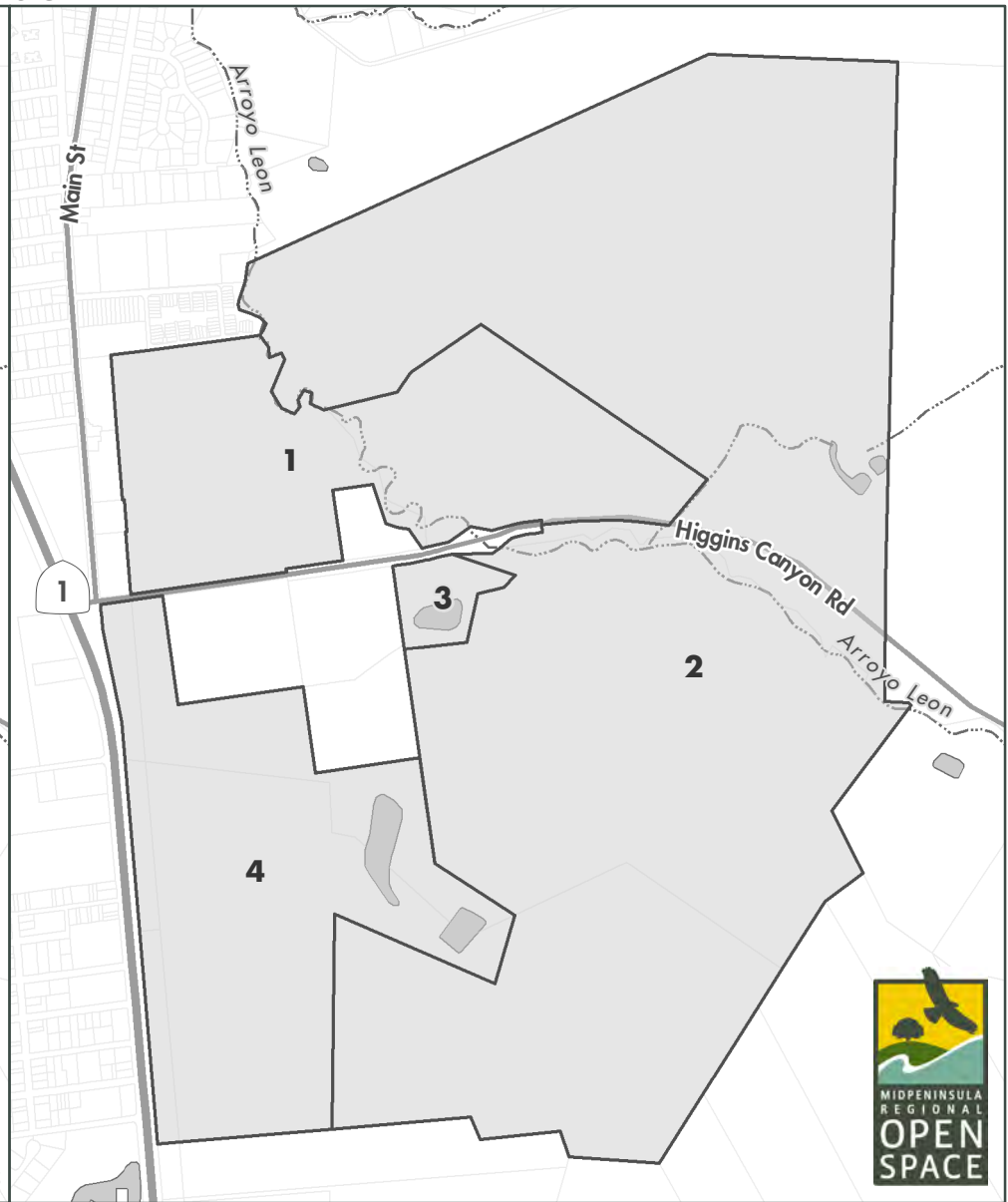
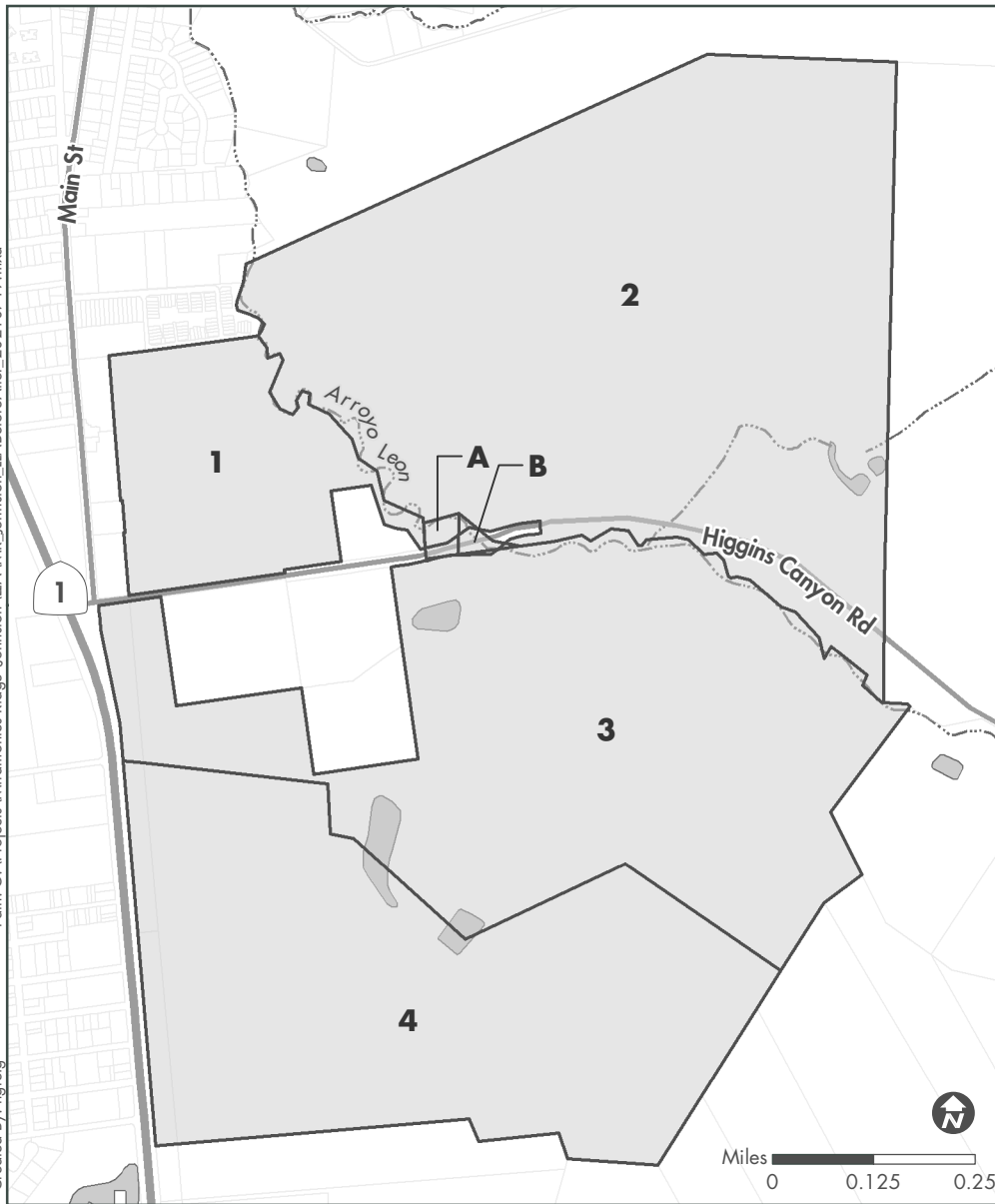
**COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT**

# ATTACHMENT C

# Exhibit E

Path: G:\Projects\Miramontes Ridge\Johnston\_LLA\BeforeAfter\_20210719.mxd

Created By: ngreig



## Existing Parcel Configuration

Parcel	Acres	APNs and Certificates of Compliance
1	50	064-370-200
2	249	064-370-070
3	183	065-210-240 & 230
4	161	065-210-220, 017, 019 & 021
A	0.5	CoC 2017-106396
B	0.5	CoC 2017-106397

## Modified Parcels after Lot Line Adjustment

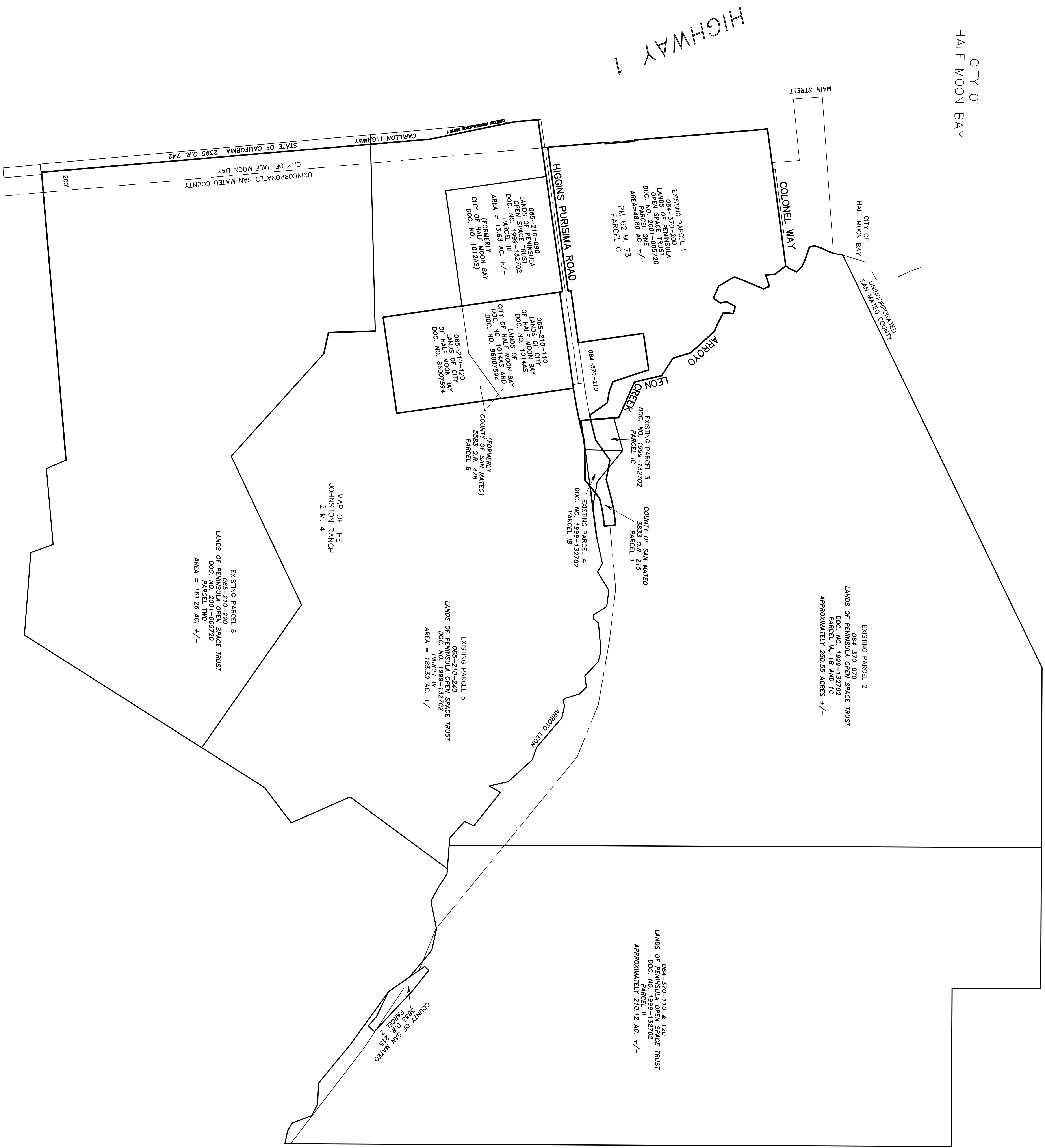
Parcel	Acres	APNs
1	93	064-370-200 & portion of 064-370-070
2	434	Portions of 064-370-070, 065-210-240 & 065-210-220
3	7	Portion of 065-210-240
4	110	Portions of 065-210-220 & 240, 065-210-190, 210 & 230

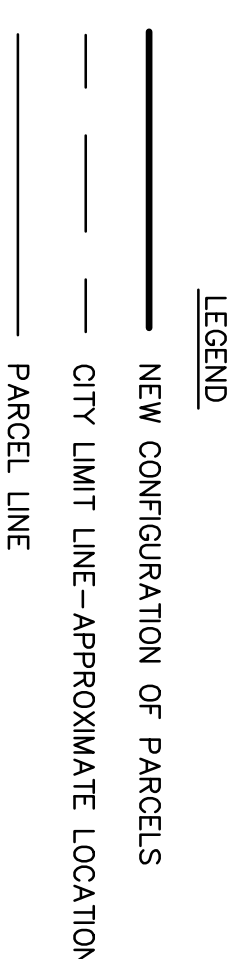
Midpeninsula Regional Open Space District (Midpen) 9/22/2021

While the District strives to use the best available digital data, these data do not represent a legal survey and are merely a graphic illustration of geographic features.



JOHNSTON RANCH  
EXISTING PARCEL CONFIGURATION  
OVERALL BOUNDARY MAPPING  
BASED ON FIELD SURVEYS AND  
ROTATED RECORD LINEWORK  
AUGUST 2017, MAY 2018, AND DECEMBER 2021  
SCALE: 1" = 300'



CITY OF  
HALF MOON BAY

### BOUNDARY LINE STATEMENTS

BOUNDARY LINES ARE FIELD LOCATED IN THE VICINITY OF CHANGES.  
ALL OTHER EXISTING BOUNDARY LINES ARE BASED ON RECORDED MEASUREMENTS  
AND HAVE BEEN ROTATED TO THE STATE PLANE COORDINATE SYSTEM.

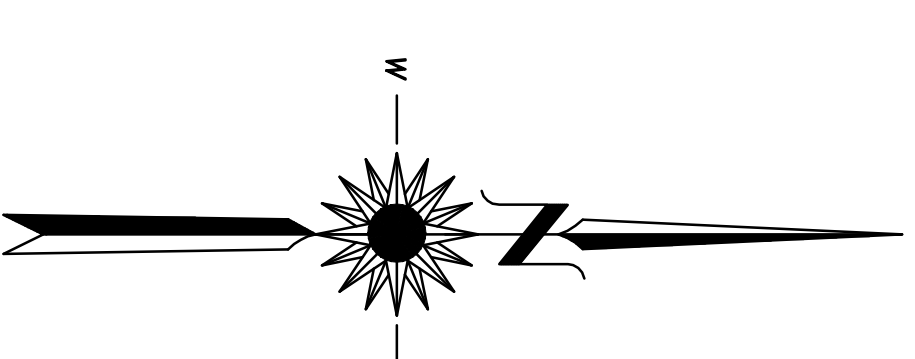
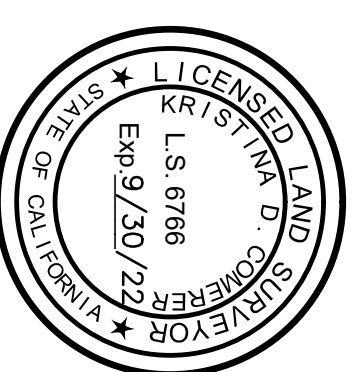
CITY LIMIT LINE IS AN APPROXIMATE LOCATION BASED ON THE COUNTY OF  
SAN MATEO GIS SITE.

SURVEYOR'S STATEMENT

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYORS' ACT AT THE REQUEST OF BEN WRIGHT, POST.

Kristina D. Comer  
KRISTINA D. COMERER, PLS 6766

DATE: DECEMBER 10, 2021



**CROSS LAND SURVEYING, INC.**  
2210 MT. PLEASANT ROAD  
SAN JOSE, CA 95148  
(408) 274-7994



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

**ATTACHMENT D**



## **Supplemental Statement**

Johnston Ranch  
Land Division Application  
September 30, 2021

### **Project Background**

Johnston Ranch is an 868-acre property located along Higgins Canyon Road in the immediate vicinity of the City of Half Moon Bay. In 1999 and 2001 Johnston Ranch was purchased from developers by Peninsula Open Space Trust (POST), an independent non-profit land trust, in response to public concerns about the accelerating loss of agricultural lands and open space in San Mateo County (the County) to development. Since that time, POST has held the property with the intent of retaining the cultivated portions to be transferred to a local farmer, subject to an agricultural conservation easement, and transferring the bulk of the property, primarily uplands, to a public agency that can provide permanent protection and management of those areas as open space (with grazing where appropriate) and can develop and maintain compatible public trail use on them. In 2014, Midpeninsula Regional Open Space District (MROSD) secured voter-approved bond funding for a wide range of open space conservation projects within its jurisdiction, including the purchase of Johnston Ranch uplands as an addition to MROSD's existing Miramontes Ridge Open Space Preserve. In 2018 and 2019, MROSD secured additional state Habitat Conservation Fund and Coastal Conservancy grant funding to support this purchase. On September 8, 2021, the County determined that the proposed purchase of the property by MROSD was in conformity with San Mateo County's General Plan.

### **Project Overview**

As co-applicants, POST and MROSD have prepared an application to complete the steps necessary to transfer portions of Johnston Ranch into public ownership for protected open space with public recreational use and benefit while retaining the agricultural viability of the property. The application packet includes:

- 1) Application for final legalization of three Type B Certificates of Compliance (CoC),
- 2) A parcel merger of two small existing parcels into a larger parcel,
- 3) A subsequent lot line adjustment (LLA), which is considered a land division, to reconfigure four parcels, and
- 4) Williamson Act Contract replacements or exchanges on reconfigured parcels and existing parcels, to better plan for and preserve productive farmland, open space, and planned recreational uses, and to facilitate the sale of cultivated farmland to a private owner/operator.

The lot line adjustment is brought about in connection with the purchase of land by a public agency (MROSD) for public recreational uses as allowed under Policy 1.2 of the County's Local

Coastal Program and in compliance with the State Coastal Act of 1976. This application and all accompanying plans and documents are submitted in accordance with the updated provisions of the Amendment to San Mateo County's Local Coastal Program Implementation Plan (PAD, RM-CZ, Corresponding Subdivision Regulations Sections) as approved by the Board of Supervisors on July 7, 2020 and certified by the California Coastal Commission on January 13, 2021.

After the approval of the application, the reconfigured parcels will continue in existing farming and livestock grazing uses and will enhance protection of open space and better accommodate future public trail recreational uses, in compliance with the County's Local Coastal Program. The parcel reconfigurations will preserve and enhance agriculture by realigning parcel boundaries to support the continuation of agricultural operation. POST will place a permanent agricultural conservation easement on the cultivated parcels upon transfer to a farmer. This conservation easement will include mandatory agricultural use provisions and restrict development. The reconfigured agricultural parcels will be easier to manage, will retain existing agricultural production, and will enhance a farmer's ability to control and monitor food safety. The reconfigured parcel size, future agricultural conservation easement, and the new Williamson Act contract will facilitate the sale of this cultivated farmland to a private owner/operator, which will enable them to build equity and provide greater security for the benefits that this farm provides for local agriculture and the community.

The details of the LLA and its benefits are fully addressed in the Master Land Division Plan (MLDP) that is part of this LLA application.

A Coastal Development Permit is not required for the LLA application because the LLA is brought about in connection with the purchase of land by a public agency, MROSD, for public recreational use and therefore not considered development as defined in Policy 1.2 of the County's Local Coastal Program (LCP). Compliance with applicable LCP policies is discussed in detail below, however, to support the land division findings (including LLA finding 1.a) that are needed to approve the application.

A Planned Agricultural District (PAD) permit is required because all the parcels associated with this application are located within the Rural Agricultural General Plan Land Use designation and are zoned Planned Agricultural District/Coastal Development (PAD/CD), and a PAD permit is required for all land divisions including lot line adjustments in the PAD/CD zone. Therefore, compliance with the applicable zoning regulations is also discussed in detail below.

Attachment A, page 1 of 2, shows the existing configuration of the eight parcels on the 868-acre Johnston Ranch and Attachment A, page 2 of 2, shows the configuration of the property after the merger of two small existing parcels (Parcel A and B) into Parcel 1. Attachment B shows the subsequent reconfiguration of four of the parcels as part of a lot line adjustment (LLA).

There are four primary project components:

- 1) Parcel legalization, which includes application for three Type B CoC's for APN's 064-370-070, 065-210-240, and 065-210-220. These applications have been submitted and are on-file with the San Mateo County Planning and Building Department and will become part of this subject application. (For information purposes, two Type A Certificates of Compliance (CoC) have previously been issued for parcel numbers 1.b and 1.c, (also known as existing parcels A and B) as shown on Attachment A, which have been historically identified as part of Assessor's Parcel Number (APN) 064-370-070 but are in fact each a separate legal parcel. Documentation of these two approvals is on-file with the San Mateo County Planning and Building Department but can be provided by POST if needed);
- 2) Parcel merger of two small existing parcels, A and B (also known as parcels 1.b and 1.c), with existing Parcel 1, as shown on Attachment A, page 2;
- 3) Land division (lot line adjustment) affecting the configuration of four existing parcels as shown on Attachment B; and
- 4) Adjust Williamson Act contracts on the Property:
  - a. Rescind/replace existing Williamson Act (WA) contracts on the agricultural parcels with a Farm Land Security Zone (FSZ) contract on the reconfigured agricultural parcels;
  - b. Rescind/exchange an existing Land Conservation Act (LCA) WA contract with a 10-year Open Space Easement (OSE) on the fallow southern portion of one reconfigured parcel;
  - c. Rescind/exchange an existing Farmland Security Zone (FSZ) WA contract with a 20-year OSE on the northern portion of that same reconfigured parcel;
  - d. Non-renew an existing LCA WA contract on one existing parcel which is not part of the land division/parcel merger application.
  - e. The parcels where WA contracts will be exchanged for OSEs and the one which will be non-renewed are all suitable for grazing and public recreational uses but not cultivated row crops. Existing WA contracted lands are shown on Attachment C.

#### **General Plan Designation, Property Zoning, and Density Credits**

Existing Property General Plan Designation, Zoning, and proximity to County Scenic Corridor:

Johnston Ranch, including the two parcels to be merged and the four parcels to be reconfigured, are in the Coastal Zone, have a General Plan designation of rural agriculture, are zoned PAD/CD, and are in the County Scenic Corridor as shown on Attachment D.

Existing Density Credits:

There are twelve (12) density credits on Johnston Ranch although only 9 of those 12 are involved in the LLA and parcel merger application as shown in Table 1 below. A density analysis was completed by San Mateo County Planning and Building Department in July 2020 and, in accordance with Section 6356 of the Planned Agriculture District (PAD) zoning regulations, every legal parcel was allocated a minimum of one density credit resulting in APNs 064-370-200, 064-370-110, 065-210-090 and each small parcel with an approved Certificate of Compliance, all receiving one credit each. Other parcels had multiple density credits allocated based on site characteristics.

**Table 1** (Approximate Acreages)

<b>Parcel ID Shown on Attachment A</b>	<b>Assessor's Parcel No.</b>	<b>Acreage</b>	<b>Density Credits</b>
1	064-370-200	50	1
2 (1A)*	064-370-070	249	3
3	065-210-230 065-210-240	183	2
4	065-210-220	161	1
A (1C)*	Recorded Doc. 2017-106396	0.5	1
B (1B)*	Recorded Doc. 2017-106397	0.5	1
090**	065-210-090**	14**	1**
110/120**	064-370-110**	100**	1**
	064-370-120**	110**	1**
<b>TOTALS</b>		<b>868</b>	<b>12</b>

\*Parcels A and B were determined to be legally existing, and separate from parcel 2, through the Certificate of Compliance, Type A, application approved by the San Mateo County Planning and Building Department on 11/9/2017 and recorded with the County Recorder on 11/29/2017. The two parcels had been historically associated with APN 064-370-070 but are separate parcels equaling approximately 2 acres total. Parcels 2, A, and B are also sometimes referred to as parcels 1A, 1C, and 1B, respectively, in official County documents.

\*\*These parcels, acreages and density credits are not included in the lot line adjustment or parcel merger application.

The reallocation of the 9 density credits involved in the lot line adjustment and parcel merger application is addressed in detail in the accompanying Master Land Division Plan (MLDP) for Johnston Ranch.

### **Application Discussion**

#### Parcel Legalization:

The documentation tracing the parcel history and confirming the legal status of existing Parcels 2, 3 and 4 (APNs 064-370-070, 065-210-240 and 065-210-220, respectively) has been submitted for review and confirmation by the County.

#### Parcel Merger:

The two small one-acre parcels (A and B) would be merged with existing Parcel 1 as shown in Attachment A, page 2 resulting in Parcel 1 increasing in size from 49 acres to 50 acres. A small amount of acreage will be eliminated in the merger because it overlaps with a portion of Higgins Canyon roadway. This voluntary merger will comply with the criteria found in Section 7123 of the San Mateo County Subdivision Regulations in that it will not result in greater density than currently allowed by the County Zoning Regulations and will in fact reduce the number of density credits on the site as explained in the accompanying Master Land Division Plan (MLDP).

#### Land Division (Lot Line Adjustment/LLA):

After the lot merger described above, the four existing parcels would be reconfigured into four proposed lots that would optimize agricultural use and public benefit by maintaining and protecting cultivated farm land on parcels that can sustain agricultural use, while encouraging grazing, open space, and low-intensity recreational use on parcels that are suitable for those uses. Throughout the discussion below, existing parcels are referred to as such and the proposed lots are referred to as “reconfigured parcels” to distinguish them from the existing parcels. The accompanying LLA map, prepared by a licensed surveyor, uses the nomenclature of “Existing Parcels” and “Proposed Lots”, with the proposed lots being the reconfigured parcels referred to in the discussion below.

The LLA would include adjusting the existing lot line between existing Parcels 1 and 2 eastward as shown on Attachment B so that reconfigured Parcel 1 would be increased from 50 acres (after merger) to approximately 93 acres total and would include the row crops that are now part of adjacent existing Parcel 2. The reconfigured Parcel 1 would also encompass a small portion of the riparian corridor located in the southeastern portion of the existing Parcel 1, which would be protected by an agricultural conservation easement to be retained by POST on the cultivated parcels upon future transfer of ownership to a farmer.

The existing lot line between existing Parcels 3 and 4 would be adjusted northward to reconfigure Parcel 3 into a parcel of about seven (7) acres, which would continue to have acreage for cultivating crops, a small irrigation reservoir, and would provide the potential for a

small farm center in the future to support the adjoining cultivated parcels. When ownership is transferred to a local farmer in the future, POST will retain an agricultural conservation easement over these parcels, which will prohibit separate sale or subdivision of Parcels 3, 4, and APN 065-210-090 (which is not part of this LLA application).

Lastly, the existing lot line between existing Parcels 2 and 3 would be adjusted southwestward to reconfigure Parcel 4 into a 110-acre agricultural parcel, which would remain in cultivated agricultural use, and would reconfigure Parcel 2 into a 434-acre parcel with upland hills and a riparian corridor on the north and south sides of Higgins Canyon Road that would be suitable for open space, low-intensity public recreation, and grazing.

Table 2 below summarizes the reconfigured parcels:

**Table 2**

<b>Parcels Associated with Lot Line Adjustment</b>					
<b>Parcels After Merger and Before Lot Line Adjustment</b>			<b>Reconfigured Parcels After Lot Line Adjustment</b>		
<b>Parcels</b>	<b>Acres</b>	<b>APNs</b>	<b>Parcels</b>	<b>Acres</b>	<b>APNs</b>
<b>1</b>	50	064-370-200	<b>1</b>	93	064-370-200 & portion of 064-370-070
<b>2</b>	249	064-370-070	<b>2</b>	434	Portions of 064-370-070, 065-210-240 & 065-210-220
<b>3</b>	183	065-210-240 & 230	<b>3</b>	7	Portion of 065-210-240
<b>4</b>	161	064-370-200	<b>4</b>	110	Portions of 065-210-220 & 240, 065-210-190, 210 & 230

Parcel Access: All reconfigured parcels would be accessed directly from Higgins Canyon Road. The City of Half Moon Bay has granted POST and MROSD an access easement across the western side of the City’s Johnston House property from Higgins Canyon Road for additional access to the agricultural fields of reconfigured Parcel 4 and the upland areas of reconfigured Parcel 2 south of Higgins Canyon Road. In addition, an easement over an existing farm road from Highway 1 across reconfigured Parcel 4 will be granted to MROSD to serve as an appurtenant seasonal access easement to the southern portion of reconfigured Parcel 2. Both of these access easements are shown on Attachment E.

Trail Easement: POST has granted the City of Half Moon Bay a public trail easement along the south side of Higgins Canyon Road across the northern boundary of reconfigured Parcel 4 and the northerly boundary of APN 065-210-090 (which is not part of this land division application). There is an existing agricultural fence along the southerly boundary of the trail easement. The need and purpose of this easement to further the goals of the County’s LCP and connect regional trails is detailed in this Supplemental Statement and in the Master Land Division Plan

(Attachment F). The location of the trail easement is shown on an attached map in the Master Land Division Plan (Attachment F).

Water Supply: Portions of all four of the existing parcels are currently served by three irrigation reservoirs, the smallest of which stores 9.2-acre feet of water and is located just south of Higgins Canyon Road on existing Parcel 3, and two of which are located further south and straddle the existing boundary between Parcels 3 and 4. The larger of these two reservoirs stores approximately 49-acre feet of water while the smaller of these two reservoirs stores approximately 13-acre feet. All three reservoirs are filled by water from Arroyo Leon. The water serves the agricultural uses on existing Parcel 1, portions of existing Parcels 2, 3, and 4, and all of existing Parcel 065-210-090 (which is not part of the LLA application). The water is pumped through existing irrigation lines from the reservoirs to the agricultural fields as shown on Attachment G, page 1 of 2.

The eastern portion of existing Parcel 2, which does not have cultivated agriculture on it, is served by a spring that fills a small stock pond about 1.1-acre feet, and five water tanks totaling 8,500 gallons. A water trough on this portion of Parcel 2 also supports grazing livestock. Reconfigured parcel 2 will also merge ownership and protect a half mile of the Arroyo Leon riparian corridor.

The total 72.3-acre feet of water that has been consistently available on the site to support the existing agricultural uses has successfully met the needs of those uses. The low-intensity public recreation use that is planned in the future such as hiking trails will not increase the need for water on the site and is not listed in Table 1.5 of the County's Local Coastal Program as the type of land use that has water using features associated with it. Any specific uses proposed in the future that would require an increase in water use would be evaluated in accordance with applicable water supply requirements in place at the time of such an application.

The proposed LLA will better define the parcel boundaries so that the irrigation reservoirs will no longer straddle parcel lines and will be located entirely on specific parcels. This will facilitate more efficient management of the reservoirs. Although there is no plan or expectation that the existing water provision system will change, a condition of project approval could be included to ensure that the water infrastructure and system that is currently in place remains in place.

Waterline Easements: POST granted formal waterline easements serving the City of Half Moon Bay's Johnston House property and will grant the Giusti LLC property (north of the project site) for the existing domestic water lines that travel along the northwest corner of reconfigured Parcel 4 and the northerly property line of APN 065-210-090. The location of the waterline easement is shown on the tentative map submitted with the land division application.

The reconfiguration of the four existing parcels, along with the merger of two small existing parcels, access and trail easements, will comply with applicable policies and regulations as explained below.

**Compliance with General Plan Policies:**

Divisions of land designated as Rural are required to comply with policies in Chapter 9, Rural Land Uses, of the County's General Plan. Specifically, policies relating to the encouragement of existing and potential agricultural activities, criteria for division of agricultural land, and protection of agricultural land apply to this land division as do policies related to encouraging existing and potential public recreation uses.

Policy 9.28 calls for the encouragement of existing and potential agricultural activities. Reconfiguring four existing parcels on Johnston Ranch, and merging two small parcels, to better define viable agricultural parcels accomplishes this policy objective by making it feasible for a farmer to purchase productive farmland and build equity and security for the benefits that this farm provides to the community. Parcel reconfiguration will ensure that the parcel boundaries are coincident with the productivity of the existing or potential agricultural use.

Policy 9.29 specifically calls for establishing and/or maintaining agricultural activities by maintaining and/or creating appropriately sized agricultural parcels. The proposed parcel reconfiguration will meet this policy objective by better defining productive agricultural land and separating it from grazed upland that is better suited to accommodate compatible public recreational uses. A Master Land Division Plan (MLDP) has been prepared that addresses the elements noted in Policy 9.29.b. (See Attachment F).

Policy 9.35 calls for encouraging existing and potential public recreation land uses on non-agricultural land, including but not limited to, recreation areas, wild areas, and trails. The proposed parcel reconfiguration will separate productive agricultural land from land that is suited for compatible public recreational uses such as the trails that are planned and will be operated by the MROSD and coordinated with trails plans of partner agencies in the vicinity such as San Mateo County, the City of Half Moon Bay, the Golden Gate National Recreation Area (GGNRA), California State Parks, San Francisco Public Utilities Commission (SFPUC), and the Coastside Land Trust, as outlined later in this Supplemental Statement.

The Rural land use policies that address development standards are not discussed in this Supplemental Statement because no development is being proposed. Any future development on any of the parcels, agricultural or open space, will be evaluated in accordance with all requirements in place at the time of any application for development.



**Compliance with Local Coastal Program (LCP) Policies:**

The LCP exempts land divisions that are brought about in connection with the purchase of land by a public agency for public recreational use from the definition of development (LCP Policy 1.2) therefore a Coastal Development Permit (CDP) is not required. However, the applicable policies within the LCP are addressed below because compliance with them will be needed to make the required land division findings for project approval (including LLA finding 1.a). Because there are no buildings of any type proposed as part of this land division application and lot merger, the LCP policies that address the potential impacts of physical structures are not applicable to this application. Should future development be proposed on any of the reconfigured parcels, the proposal(s) would be evaluated in accordance with all applicable LCP policies at that time.

Agricultural Component: Policies 5.5 and 5.6 of the Agricultural Component of the LCP define permitted uses and conditionally permitted uses on prime agricultural lands and on lands suitable for agriculture. Agricultural uses and non-residential development considered accessory to agricultural uses are permitted on both prime agricultural lands and lands suitable for agriculture. Single-family residences and public recreation and shoreline access trails are conditionally permitted uses on prime agricultural lands and on lands suitable for agriculture. The LLA will not affect the allowed or conditionally allowed uses on the four reconfigured parcels and will facilitate the preservation and success of agriculture, open space, and compatible public recreational uses on the appropriate parcels. The new WA contract and OSEs discussed in subsections will likewise support these permitted and conditionally permitted uses.

Policy 5.10 of the Agricultural Component of the LCP addresses conversion of land suitable for agriculture and prohibits this conversion unless five criteria can be successfully addressed. The LLA would not result in the conversion of land suitable for agricultural use because no development is being proposed as part of the land division. On the portion of reconfigured Parcel 2 south of Higgins Canyon Road, which is proposed for an exchange from a Williamson Act (WA) Contract to an Open Space Easement (OSE), the land is fallow due to scarcity of productive agricultural soil and supporting infrastructure. On the northern portion of reconfigured Parcel 2, north of Higgins Canyon Road, the land would continue to be grazed under a long-term lease and a rangeland management plan. In both cases, the exchange of the existing WA contract with an OSE will result in the protection of open space and planned recreational uses on all of reconfigured Parcel 2 which is compatible with and allowed by the WA. Therefore, conformance with Policy 5.10 is also included below in the Williamson Act contract discussion.

Policy 5.12 of the LCP calls for determining minimum parcel size for agricultural parcels on a case-by-case basis to ensure maximum existing or potential agricultural productivity. The land division is proposed for exactly this reason. Each reconfigured parcel will maximize either existing cultivated agricultural uses (reconfigured parcels 1, 3, and 4), or existing open space

and future planned recreational uses while supporting existing grazing (reconfigured Parcel 2). These considerations have been a motivating factor in this application.

Visual Resources Component: All four existing and reconfigured parcels are located within a County Scenic Corridor as defined in Policy 8.30 in the Scenic Roads and Corridors section of the Visual Resources Component of the LCP. No buildings of any type or other uses that could result in impacts to the Scenic Corridor are proposed as part of this application. The WA contract exchange for an OSE on one parcel will, in fact, help preserve the open space nature of the Scenic Corridor and reduce the possibility of future impact as discussed below in the WA section of this Supplemental Statement. Should development be proposed on any of the parcels in the future, it would be evaluated in accordance with applicable Visual Resources policies, including but not limited to, Policy 8.31 which addresses physical development in rural scenic corridors.

Sensitive Habitats Component: The applicable policies in the Sensitive Habitats component (Policies 7.1 - 7.54), including those that require the identification and protection of rare and endangered species, all perennial and intermittent streams and tributaries, riparian corridors, wetlands, marine habitats, and other applicable features, have been addressed in the Biological Impact Report prepared by LSA, dated February 2021. The report concludes that no adverse impacts on sensitive habitats will occur as a result of the land division. The report is attached to this Supplemental Statement for reference (See Attachment H).

Recreation/Visitor Serving Facilities Component: The reconfiguration of four parcels on Johnston Ranch meets applicable policies in the Recreation/Visitor Serving Facilities Component because one of the resulting parcels (reconfigured Parcel 2) will be better suited to enhance open space and future low-intensity public recreational uses, including future internal public trails and a segment of the Half Moon Bay State Beach to Huddart County Park Trail connecting Half Moon Bay near Higgins Canyon Road to Huddart County Park that is specifically called for in LCP Policy 11.13.b., without reducing or negatively impacting agricultural uses. In addition, sufficient room has been provided to locate any buffer areas that may be needed to separate future trail or recreationally related development from agricultural uses or sensitive habitat. All future recreational development will be reviewed for compliance with applicable Recreation/Visitor Serving Facilities policies in place at that time. Additional information on the purpose and potential alignment of future trails on the reconfigured parcels is provided in the Master Land Division Plan (Attachment F).

**Compliance with PAD Zoning Criteria:**

Chapter 21.A, Planned Agricultural District (PAD), Section 6355, states that all land divisions in the PAD shall result in uses that are consistent with the purpose of the PAD found in Section 6350 of the Zoning Regulations. Section 6350 lists five techniques that should be employed to

minimize conflicts between agricultural and non-agricultural land. Those five techniques are discussed below.

*Section 6350(a) calls for establishing stable boundaries between urban and rural uses and when necessary, clearly defined buffer areas.*

Existing and reconfigured Parcel 1 is adjacent to residential use within the City of Half Moon Bay on its northern and western boundaries. The existing stable boundaries between the housing and agricultural uses will be maintained because agricultural use will be continued on reconfigured Parcel 1 and will be protected by a Farmland Security Zone Contract and an agricultural conservation easement. The other three parcels are not adjacent to urban uses but Parcel 2 is adjacent to Arroyo Leon and as such, has been designed to provide room for buffer areas between the permitted land uses on that parcel and the riparian corridor so that the riparian corridor will be protected.

*Section 6350(b) calls for limiting conversions of agricultural lands around the periphery of urban areas to lands where the viability of existing agricultural use has already been severely limited by conflicts with urban uses, and where the conversion of such land would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.*

Conversion of agricultural land is not proposed as part of this lot line adjustment.

*Section 6350(c) calls for developing available lands not suitable for agriculture before converting agricultural lands.*

Development is not proposed on the four parcels to be reconfigured in this LLA application nor is the conversion of agricultural lands. The proposed LLA will retain cultivated agriculture on three of the four reconfigured parcels and will retain grazing, open space and future low-intensity public recreation uses which are compatible with agriculture on the fourth reconfigured parcel.

*Section 6350(d) calls for assuring that public service and facility expansions and non-agricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.*

Public service and facility expansion is not proposed as part of this LLA application nor is non-agricultural development. The proposed LLA will preserve agriculture by realigning parcel boundaries to support the continuation of agricultural operation. The agriculture conservation easements to be placed by POST on reconfigured parcels 1, 3, and 4 upon transfer to a farmer will include mandatory agricultural use provisions. The reconfigured parcel size, the planned agricultural easements and the new Williamson Act contract will facilitate the sale of this

cultivated farmland to a private owner/operator. The LLA will also facilitate the continuation of existing farming and livestock grazing uses, permanently protect open space and enhance future public recreational uses on reconfigured parcel 2 through the use of Open Space Easements and a Rangeland Management Plan which are compatible with agricultural uses. No change of use is proposed as part of this LLA application that would result in assessment costs or the degradation of air or water quality.

*Section 6350(e) calls for assuring that all divisions of prime agricultural land (except those stated in (b)) and all adjacent development does not diminish the productivity of prime agricultural lands and other land suitable for agriculture.*

The purpose of the proposed LLA is to preserve and enhance cultivated agriculture through the reconfigured parcel sizes, the planned agricultural easement and the new Williamson Act contract on parcels 1, 3, and 4 and to continue existing farming and livestock grazing uses, permanently protect open space and enhance future public recreational uses on reconfigured parcel 2 through Open Space Easements and a Rangeland Management Plan. There is no development proposed on the reconfigured parcels or on land adjacent to them that would diminish the productivity of prime agricultural lands or other land suitable for agriculture.

Section 6354, Land Divisions, of the San Mateo County Zoning regulations requires a PAD permit to be approved for all land divisions in the PAD zone, even when no additional parcels will result from the land division. The PAD criteria found in Section 6355 are discussed below, although many of the general criteria are not applicable to this land division because buildings are not proposed at this time. Should development be proposed in the future, it will be evaluated in accordance with all applicable PAD criteria.

A. General Criteria

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

No structures of any type or additional parcels are proposed as part of this application. Should buildings or other development be proposed on any of the parcels in the future, the proposal will be evaluated in accordance with this criterion as applicable.

- b. *All development permitted on a site shall be clustered.*

No structures, roads, infrastructure, or additional parcels are proposed on the site as part of this application. Should development be proposed in the future, it will be evaluated in accordance with the language included in the new FSZ contract or OSE and this PAD criterion as applicable.

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

The applicable criteria found in Chapter 20A. 2 are discussed below:

Section 6324.1. - Environmental Quality Criteria

- (a) *All developments should be designed and located to conserve energy resources, and thereby reduce the impacts of energy consumption on air, land, water, and living resources.*

Although buildings are not proposed as part of this LLA application, all four reconfigured parcels are designed to be large enough to accommodate agricultural and compatible development in the future which could reduce paving, grading and potential runoff from the site and could accommodate structural designs which maximize use of solar energy and reduce the use of electricity.

Section 6324.2 - Site Design Criteria

- (a) *Development shall be located, sited and designed to carefully fit its environment so that its presence is subordinate to the pre-existing character of the site and its surround is maintained to the maximum extent practicable.*

The reconfigured parcels have been designed to reflect the pre-existing character of the site by realigning parcel boundaries to be subordinate to the pre-existing agricultural uses on reconfigured parcels 1, 3, and 4 and the pre-existing grazing and open space on reconfigured parcel 2.

- (b) *All roads, buildings and other structural improvements or land coverage shall be located, sited and designed to fit the natural topography and shall minimize grading and modification of existing land forms and natural characteristics.*

*Primary Designated Landscape Features .... shall not be damaged.*

Although no roads, buildings or other structural improvements are proposed as part of this LLA application, the four reconfigured parcels have been designed to fit the natural topography and preexisting uses including cultivated agriculture on reconfigured parcels 1, 3 and 4 and grazing and open space on reconfigured parcel 2. There are no Primary Designated Landscape Features on any of the four reconfigured parcels.

Section 6325.3 - Primary Agricultural Resources Area Criteria

- (a) *Only agricultural and compatible uses shall be permitted.*

Agricultural and compatible uses will continue on reconfigured parcels 1, 3, and 4 as allowed by PAD zoning and this will be reinforced by the agricultural conservation easement placed on the parcels by POST upon transfer to a farmer. The open space, grazing, and low-intensity public

recreational uses which are allowed by PAD zoning and are compatible with agricultural uses will be located on reconfigured parcel 2.

- (b) *Clustering of uses shall not be permitted unless and until a finding is made by the Planning Commission that such clustering would promote the use or potential use of the land for agricultural purposes.*

Cultivated agricultural uses would continue on reconfigured parcels 1, 3, and 4 and would be consolidated under one 20-year Farmland Security Zone contract which, along with the agricultural conservation easement to be placed on the parcels by POST upon transfer of the parcels to a farmer, will promote the use of the land for agriculture.

- (c) *Where possible, structural uses shall be located away from prime agricultural soils.*

Although no structures of any kind are proposed on any of the reconfigured parcels as part of this LLA application, the reconfigured parcels have been designed so that any proposed structures in the future could, where possible, be located away from prime agricultural soils or on soils that have been previously disturbed.

B. Water Supply Criteria

- a. *The existing availability of an adequate and potable well water source shall be demonstrated for all non-agricultural uses and new parcels in accordance with criteria included in Section 6355.B.1 of the San Mateo County zoning regulations.*

No residential or other non-agricultural uses or new parcels are being proposed as part of this application. The OSEs that are proposed as part of the application are consistent with and allowed by the WA and are not considered non-agricultural use. The low-intensity public recreation use that is planned in the future, such as hiking trails, will not increase the need for water on the site and is not listed in Table 1.5 of the County's Local Coastal Program as the type of land use that has water using features associated with it. Should residential or other non-agricultural uses or new parcels be proposed in the future, the application will be evaluated in accordance with the water supply criteria as applicable.

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

The reconfiguration of four existing parcels will not diminish water supplies for agricultural use or sensitive habitat protection and will, in fact, improve the management of existing water sources by locating entire reservoirs, ponds and riparian corridors on individual parcels rather than bifurcating them with parcel boundaries. The existing agricultural water infrastructure and supply to existing subject parcels is shown on attached Map #6A (Page 2 of 2 in Attachment G). The total 72.3-acre feet of water that has been consistently available on the site to support the existing agricultural uses has successfully met the needs of those uses.

- c. *All new non-agriculture parcels are severed from land bordering a stream and their needs prohibit the transfer of riparian rights.*

All reconfigured parcels will be agricultural or open space with grazing which includes uses that are either permitted outright or allowed with issuance of a PAD permit and all proposed uses are consistent with the Williamson Act. No development is proposed and no transfer of riparian rights is needed or proposed.

C. Criteria for the Division of Prime Agricultural Land

- a. *Prime agricultural land which covers an entire parcel shall not be divided.*

Prime agricultural land which covers an entire parcel is not proposed for division. In fact, the proposed land division is designed so that more prime agricultural land that is now on multiple adjacent parcels will be combined within the same parcel.

- b. *Prime agricultural land within a parcel shall not be divided unless it can be demonstrated that existing or potential agricultural productivity of all resulting parcels would not be diminished.*

Prime agricultural land of about 44 acres is proposed to be divided on existing Parcel 2 so that it can be combined with reconfigured Parcel 1 and remain in cultivated agricultural use. The remaining 27 acres of prime agricultural land on reconfigured Parcel 2 will continue in livestock grazing or hay production through a long-term lease. Productivity of the agricultural uses on the prime agricultural land shall therefore not be diminished and will in fact be enhanced by combining prime agricultural land entirely on reconfigured Parcel 1 rather than continuing to have it bifurcated by a property line.

- c. *Prime agricultural land within a parcel will not be divided when the only building site would be on such prime agricultural land.*

Existing parcel 1 and reconfigured Parcel 1 both consist of almost all prime agricultural land as does all of reconfigured Parcel 4. Building sites are not proposed as part of this land division application. If development is proposed in the future, it must be found to be compatible with the zoning regulations and use restrictions of the Planned Agricultural District.

D. Criteria for the Conversion of Prime Agricultural Lands

- a. *Prime Agricultural Land within a parcel shall not be converted to uses permitted by a PAD permit unless specific criteria can be met*

No conversion of prime agricultural lands is being proposed as part of this application, so subsections 6355.D 1 – 3 do not apply. The prime agricultural lands will remain in agricultural use.

E. Criteria for the Division of Lands Suitable for Agriculture and Other Lands

- a. *Lands suitable for agriculture and other lands shall not be divided unless it can be demonstrated that existing or potential agricultural productivity of any resulting agricultural parcel would not be reduced.*

Reconfigured parcel 2 is not capable of sustaining cultivated agriculture but is suited for grazing, open space and low-intensity public recreational use. Dividing it from parcels which are capable of sustaining cultivated row crops (reconfigured parcels 1, 3, and 4) will help protect and enhance the appropriate uses on all of the parcels by enabling farmers to purchase and maintain land that is suitable for cultivation without incurring the costs of purchasing and maintaining land that is not suitable for cultivated agriculture. Parcels 1, 3, and 4 will remain in cultivated agricultural use and POST will place a permanent agricultural conservation easement on those parcels when transferred to a private farmer.

F. Criteria for the Conversion of Lands Suitable for Agriculture and Other Lands

- a. *All lands suitable for agriculture and other lands within a parcel shall not be converted to uses permitted by a PAD permit unless specific criteria can be met.*

No conversion of lands suitable for agriculture and other lands is proposed as part of this application. The parcel proposed for exchange from a WA contract to an OSE is not capable of meeting agricultural use thresholds because of steep slopes as shown on Map #7 (Attachment I), and a lack of fencing and other agricultural infrastructure. The exchange of a WA contract for an OSE is allowed by and compatible with the Williamson Act and will facilitate the preservation of existing farmland, open space, and planned recreational uses.

*Section 6363, Parcel Size, of the PAD requirements as updated and approved by the San Mateo County Board of Supervisors on July 7, 2020 and certified by the California Coastal Commission on January 13, 2021, exempts land divisions brought about in connection with the purchase of land by a public agency for public recreational use from the maximum 5-acre residential parcel size.*

The Johnston Ranch LLA is exempt from the maximum 5-acre residential parcel size because it has been brought about in connection with the purchase of land by a public agency, MROSD, for public recreational use. All of the reconfigured parcels are designed to accommodate the existing and anticipated uses on them.

**Compliance with Lot Line Adjustment Findings:**

The County must be able to make the following findings to approve the lot line adjustment in accordance with Chapter 10, Article 2, Section 7126 of the San Mateo Subdivision Ordinance:

- 1.a. *Conformity with applicable General Plan, specific plan, LCP, and Zoning and Building Regulations, although existing legal non-conforming situations may continue provided they are not aggravated by the lot line adjustment.*

The lot line adjustment would be in conformance with the applicable General Plan, LCP, and Zoning regulations as discussed above and shall not result in any non-conforming situations;



1.b. *Suitability of building sites created by the lot line adjustment.*

Although no buildings of any type are proposed as part of the lot line adjustment, all four reconfigured parcels would have adequate space to accommodate allowed uses within the PAD along with support structures and facilities and sensitive habitat protection measures. The permanent agricultural conservation easement that POST will put in place when reconfigured sites 1, 3 and 4 are transferred to a private farmer will remove the ability to develop single family residential uses on the parcels but will retain the ability to develop farm labor housing and other compatible agricultural uses in accordance with all regulations in place at that time. Reconfigured Parcel 2 will be 434 acres and will contain adequate area to provide a suitable building site although one is not proposed as part of this application.

1.c. *Provision for adequate routine and emergency access.*

Each reconfigured parcel would be accessed directly from Higgins Canyon Road as discussed above with an additional access easement granted to POST and MROSD from the City of Half Moon Bay across the western boundary of the City's Johnston House property from Higgins Canyon Road for a 30' wide access road to the agricultural fields of reconfigured Parcel 4 and the upland areas of reconfigured Parcel 2 south of Higgins Canyon Road. In addition, an existing farm road from Highway 1 across reconfigured Parcel 4 will serve as an appurtenant seasonal access easement to the southern portion of reconfigured Parcel 2;

1.d. *Provision for adequate water supply and sewage disposal.*

The total 73.2-acre feet of water that has been consistently available on the site to support the existing agricultural uses has successfully met the needs of those uses. The low-intensity public recreation use that is planned in the future such as hiking trails will not increase the need for water on the site and is not listed in Table 1.5 of the County's Local Coastal Program as the type of land use that has water using features associated with it. Should residential uses or other types of allowed commercial uses be proposed in the future, the applications would be evaluated in accordance with regulations for water use at that time. While no uses requiring sewage disposal are proposed or anticipated at this time, each of the four reconfigured parcels are large enough to accommodate required septic systems on them and should uses that require septic systems be proposed in the future, they would be evaluated in accordance with regulations in place at that time;

1.e. *Avoiding or minimizing impacts upon scenic corridors, wetlands, coastal resources, or authorized coastal development.*

No physical development is proposed as part of the LLA and therefore no impacts will result from the lot line adjustment on scenic corridors, wetlands, coastal resources or authorized coastal development as discussed above and in the accompanying biological report prepared by LSA and Associates, dated February 2021.

### **Williamson Act Discussion**

All 868 acres of Johnston Ranch have been part of either a 10-year Land Conservation Act (LCA) or 20-year Farmland Security Zone (FSZ) Williamson Act contract since 2005 as shown on Attachment C.

The 10-year LCA Contract Number 2005-222499 covers approximately 555 acres and includes Assessor's Parcel Numbers (APNs): 064-370-110; 064-370-120; 065-210-220; and 065-210-240 (existing parcels 064-370-110 and 120, 3, and 4 as shown on Attachment C). Of the 555 acres, approximately 110 are in cultivated agricultural use. This cultivated farmland is located on the western portions of existing parcels 3 and 4. The remaining 445 acres covered by the LCA contract are located on the eastern portions of existing parcels 3 and 4 and existing parcel no. 064-370-110 and 120 and are suitable for grazing and public recreational uses, but are not suitable for cultivated agricultural use due to steep slopes, as shown on Map #7 (Attachment I), and the lack of access and fencing. In addition, the LCA Contract on APN 064-370-120 was non-renewed by San Mateo County on September 23, 2011, document #2011-110518.

The 20-year FSZ contract, Number 2005-222500, covers approximately 313 acres and includes APNs: 065-210-090; 064-370-200; 064-370-070; and small Parcels A (1c) and B (1b) which are noted as existing parcels 1, 2, A, B, and APN 065-210-090 on Attachment C. Existing parcels 1, and APN 065-210-090, and portions of existing parcel 2, are in cultivated agricultural use while parcels A and B are located primarily within the existing stream bed of Arroyo Leon.

The following proposed changes to these two existing WA contracts will increase the protection of cultivated farmland and enhance opportunities for low-intensity recreational uses and the continuation of existing grazing. The proposed changes are as follows:

Regarding the existing 10-yr. LCA contract, No. 2005-222499:

- A) Rescind it on the western portions of existing parcels 3 and 4 and re-enter a new 20-yr. FSZ contract on those western portions which will be reconfigured into Parcel 4, as shown on Map # 8 (Attachment J). This new FSZ contract will also include reconfigured parcels 1, 3, and existing parcel 065-210-090;
- B) Exchange it for a 10-yr. Open Space Easement (OSE) on the eastern portions of existing parcels 3 and 4 which will be reconfigured into the southern portion of reconfigured Parcel 2, as shown on Map #8 (Attachment J);
- C) Non-renew it on existing parcel 064-370-110, in accordance with Sections 4 and 8 of the existing contract, as shown on Map #8 (Attachment J).

Regarding the existing 20-yr. FSZ contract, No. 2005-222500:

- A) Rescind it and re-enter a new 20-yr. FSZ contract on reconfigured parcels 1 and 4, existing parcel 065-210-090 and merged Parcels A and B, as shown on Attachment J; and
- B) Exchange it for a new 20-year Open Space Easement (OSE) on the northern portion of reconfigured Parcel 2 as shown on Map #8 (Attachment J).

The execution of the new FSZ and OSE contracts and the non-renewal of the LCA contract on existing parcel 064-370-110 will be in accordance with Sections 4 and 8 of the existing contracts and will be a condition of the land division approval. The new FSZ contract will be in the form, or similar form, as that found in Attachment K.

The benefits of the above actions include the fact that all 224 acres of existing cultivated agricultural acreage will now be covered by one new 20-year FSZ contract which will be easier to manage. In addition, of those 224 acres, 110 acres that were previously only protected for a rolling 10-year timeframe will now be protected for a rolling 20-year timeframe.

The 207 acres that constitute the reconfigured northern portion of Parcel 2, which will be covered under a new 20-year Open Space Easement, and the 227 acres that constitute the southern portion of reconfigured Parcel 2, which will be covered under a new 10-year Open Space Easement, are best suited for open space and low-intensity public recreational uses and will include the continuation of grazing on the northern portion of the parcel and the potential reintroduction of grazing on the southern portion of the parcel.

The 100 acres that constitute existing APN 064-370-110, which will be nonrenewed from the existing 10-year LCA contract, will remain in grazing use for the remaining nine years of the contract, and will then also enhance open space and low-intensity public recreation opportunities. In addition, this acreage will be further protected by MROSD's approval of a Rangeland Management Plan and a long-term lease with the existing grazing tenant.

These actions and benefits are in compliance with the San Mateo Williamson Act Guidelines as discussed below.

**Compliance with the San Mateo County Land Conservation (Williamson) Act**

The San Mateo County WA Uniform Rules and Regulations allow parcels that are under WA contracts to be subdivided into new or reconfigured parcels provided the existing WA contracts are rescinded and replaced with new WA contracts or OSEs on reconfigured parcels or non-renewed on existing parcels. The new contracts are required to meet all applicable WA Rules and Regulations and cannot be for less aggregate acreage than originally contracted. The WA Rules and Regulations also require the land division to comply with the Subdivision Map Act

and the San Mateo County Subdivision Regulations (WA Uniform Rule 4: Rescission/Reentry, Non-Renewal and Cancellation Requests).

The new 20-year FSZ contract and the new OSEs that are part of the Williamson Act contract changes would comply with the following applicable WA Rules and Regulations. Uniform Rule 1 in the WA Guidelines requires that all replaced contracts or OSEs be located within an Agricultural Preserve (AGP). All eight existing parcels, including the four to be reconfigured and the two to be merged, are located within an existing AGP which was approved in 2005 when the original contracts were approved.

Uniform Rule 2.A.1 requires that all replaced or exchanged contracts be on property designated as Agriculture or Open Space and Uniform Rule 2.A.2 requires that the property be zoned PAD or Resource Management or Resource Management Coastal Zone. All eight of the existing parcels, including the four to be reconfigured and the two to be merged, are designated as Agriculture and are zoned PAD. All parcels proposed for the new FSZ contract also meet the parcel size requirements required in Uniform Rule 2.A.3.

Uniform Rule 2, Section A.5.b.2 allows “per se” compatible uses on parcels under FSZ contracts, which means that the use is automatically found to be compatible with agriculture and is not required to receive a “Determination of Compatibility” (DOC) from the Agricultural Advisory Committee. There is an existing barn on Parcel 2 (APN 064-370-070) which falls under the definition of “per se” compatible uses in Section A.5.b.2(a): “Facilities and structures utilized in conjunction with the production, preparation, and storage of an agricultural commodity, commercial grazing, or commercial horse breeding.” The barn on Parcel 2 is used in conjunction with the grazing operation which will be under a Rangeland Management Plan and long-term grazing lease with the existing rancher. It is 3,600 square feet in size with a driveway leading to it which is 5,700 square feet for a total of 9,300 square feet of compatible use on the reconfigured 204-acre parcel. There is also existing deer fencing around some of the agricultural parcels along Highway 1 (parcels 1, 4, and APN 065-210-090) which was put in place in 2017 and 2018 and finished in 2020. There are no other existing compatible uses on the subject parcels.

Uniform Rule 2.6 requires minimum income levels to be met for prime and non-prime soils and Uniform Rule 2.7 requires minimum thresholds for land utilization for grazing. The Statement of agricultural uses required by Uniform Rule 3 summarizes the acreage of each existing APN, the acreage in crop production and grazing along with the proposed replacement with either a new FSZ contract or an OSE. The Statement of agricultural uses is Attachment L of this Supplemental Statement.

Uniform Rule 2.B requires that parcels entering into a new, or replacing an existing, FSZ contract must be within an approved AGP, and within an approved Farmland Security Zone Area (FSZA) and designated on the Important Farmland Series Map. The reconfigured parcels

that are covered by the new FSZ contract all meet these criteria (reconfigured Parcels 1, 3, and 4).

Uniform Rule 4 requires that seven criteria be met before an LLA can be approved for parcels under an existing WA contract. Those criteria are addressed below:

*a) The new contracts will restrict land within adjusted boundaries of legal lots for at least as long as the term of their current restrictions.*

Parcels currently enrolled in a 10-year LCA contract would be reconfigured and enrolled in a 20-year FSZ contract or a 10-year Open Space Easement (with a non-renewal on one existing parcel that is not part of the LLA/parcel merger application) and parcels currently enrolled in a 20-year FSZ contract would be enrolled in a new 20-year contract or a 20-year Open Space Easement, so all parcels will be restricted for at least as long as the term of their current restrictions with the exception of the non-renewal which is a separate action, and while a part of this application package, is not a part of the LLA.

*b) There would be no net decrease in the amount of the aggregate acreage (total contract acreage combined between the parcels involved in the lot line adjustment) subject to the existing and proposed contracts.*

The total acreage in the four reconfigured parcels (and on the Ranch overall) would remain the same but would be configured differently and would either be enrolled in a FSZ contract or an Open Space Easement. There would be no decrease in the aggregate acreage subject to proposed contracts/easements.

*c) At least 90% of the originally contracted land would be included within new contracts.*  
All of the originally contracted land (100%) would be enrolled in new contracts/easements.

*d) The resulting legal lot area subject to contracts would be large enough to sustain qualifying agricultural uses as defined in Section 51222.*

All four of the reconfigured parcels would be large enough to sustain agricultural uses including reconfigured Parcel 3 which would be tied in perpetuity to reconfigured Parcel 4 through a conservation easement, as discussed above, so that accessory agricultural uses along with row crops could be located on reconfigured Parcel 3.

*e) The lot line adjustment would not compromise the long-term agricultural production of land within the proposed legal lots or other agricultural lands subject to contract(s).*

Reconfigured Parcels 1, 3, and 4 (along with existing Parcel 065-210-090 which is not part of this LLA application) will be better configured to sustain long-term agricultural use and productive farmland with substantial prime agricultural soil enrolled under one 20-year FSZ contract, while land better suited for open space and public recreation uses will be aggregated under two OSEs on reconfigured Parcel 2.

- f) The lot line adjustment will not likely result in the removal of adjacent land from agricultural uses.*

Adjacent land would not be removed from agricultural use as a result of the LLA. Reconfigured Parcel 2 is better suited for grazing, open space, and public recreation uses rather than cultivated row crops. Replacing the existing 10 and 20-year WA contracts on the parcel with 10 and 20-year Open Space Easements that are allowed by and consistent with the Williamson Act will ensure that parcels failing to meet productive agricultural use thresholds are retained for open space, continued grazing on the north side of Higgins Canyon Road under a conservation grazing lease and Rangeland Management Plan and future recreational uses. The WA contract that will be non-renewed on APN 064-370-110 (which is not part of this application) will continue for the remaining nine years and grazing will also be continued under a conservation grazing lease and Rangeland Management Plan for that period of time;

- g) The lot line adjustment would not result in a greater number of developable legal lots than existing prior to the adjustment or an adjusted lot that is inconsistent with the County General Plan.*

No additional parcels would be created by the LLA. First, the lot merger would reduce the number of parcels on the Ranch overall from eight to six. Then four of these parcels would be reconfigured into four differently shaped parcels to better preserve existing productive agricultural uses including continued livestock grazing and to enhance open space and future public recreational uses. All four of the reconfigured parcels would be consistent with relevant County General Plan, LCP, Zoning, and Subdivision policies and regulations as discussed earlier in this Supplemental Statement.

Uniform Rule 5 addresses exchanging an existing WA contract for an OSE and requires that the OSE adhere to the California Land Conservation Act of 1965, and subsequent revisions, which in turn requires that the OSE be consistent with the WA and that it enforceably restricts the property for an initial term of not less than ten (10) years.

The proposed OSEs for reconfigured Parcel 2, would restrict the use of the land for open space, future recreational uses, continued grazing of the northern portion of the parcel and potential reintroduction of grazing on the southern portion of the parcel for a rolling period of twenty years on the northern portion and a rolling period of ten years on the southern portion. The proposed open space, recreational use and grazing are consistent with the WA and the County Guidelines, which supports protecting open space when the affected property qualifies as a scenic highway corridor (page 1 of the San Mateo County WA Guidelines). Parcel 2 is in a County Scenic Corridor as are all of the Johnston Ranch parcels.

In addition, proposed OSEs for reconfigured parcel 2 provide better consistency with regional trail planning efforts in the vicinity of Johnston Ranch. MROSD has identified future conceptual plans for the development of low intensity recreational trails and public access facilities on

reconfigured parcel 2, and existing APNs 064-370-110 & 120, which will be designed to be compatible with existing or potentially reintroduced grazing uses of these parcels and in compliance with MROSD's 2004 Service Plan for the Coastal Annexation Area. Low intensity recreation compatible with agriculture is also identified in MROSD's adopted 2014 Vision Plan as Portfolio #28 Miramontes Ridge/Purissima Creek Redwoods: Mills Creek/Arroyo Leon Watershed protection, Stream Restoration, and Regional Trail Connections, and Portfolio #1 Miramontes Ridge: Gateway to the San Mateo Coast Public Access, Stream Restoration, and Agricultural enhancement Projects. The Vision Plan also calls for restoration, natural resource management, and enhancement of conservation grazing on lands acquired and managed by MROSD.

The San Mateo County 2001 Trails Master Plan references the proposed county trail route P14 Burleigh Murray Ranch State Park to the Coast. The Burleigh Murray Ranch State Park to the Coast Trail would extend from Burleigh Murray Ranch State Park to the California Coast Trail between Poplar County Beach and Cowell Ranch State Beach in the vicinity of Higgins Canyon Road adjacent to Johnston Ranch. The proposed OSEs would facilitate implementation of the County's Trail Master Plan. Other regional trail planning efforts that would be furthered by the conversion of Parcel 2 to OSEs include: 1) The San Mateo County's 2011 Comprehensive Bike and Pedestrian Master Plan that notes road improvements and proposed trails and bike/pedestrian improvements through Johnston Ranch and Higgins Canyon Road which all are in and around reconfigured Parcel 2; 2) The City of Half Moon Bay Parks Master Plan that includes recommendations for Johnston House Recreation Improvements with the possibility of a regional trailhead that could access trails proposed in the uplands area on reconfigured Parcel 2. (In addition, the City of Half Moon Bay is completing intersection improvements to improve pedestrian and bicycle safety where Higgins Canyon Road, Main Street, and Highway 1 meet with the expectation that people will be and already are using the route to access recreation destinations along Higgins Canyon Road directly adjacent to reconfigured Parcel 2 and existing parcel 064-370-110 and 120, and are pursuing recreational routes between the California Coastal Trail and inland public lands); and 3) the Bay to Sea planning effort currently in progress to connect the California Coastal Trail to the San Francisco Bay Trail, which identifies Johnston Ranch as a potential corridor for the Bay to Sea trail. This is a regional trails project that POST is spearheading in collaboration with MROSD, San Mateo County, Golden Gate National Recreation Area (GGNRA), the San Francisco Public Utilities Commission (SFPUC), City of Half Moon Bay, and the Coastside Land Trust. Reconfiguration of parcels under this application would facilitate all these potential improvements. A citation sheet referencing these plans is included in Attachment M.

A draft OSE Term Sheet is attached to this Supplemental Statement (Attachment N) which outlines draft language to be included in the open space easements for reconfigured Parcel 2. As noted in the LCP discussion above, the proposed new FSZ contract and the proposed OSEs will be consistent with LCP policies 5.5, 5.6, and 5.10 in that the contract and easements will

help to ensure that productive agricultural uses are preserved and are financially successful and that open space will be preserved and planned recreational uses can be pursued.

**California Environmental Quality Act (CEQA)**

The average slope on the four reconfigured parcels is 18.5%, therefore the LLA qualifies for categorical exemption under CEQA Guidelines. Section 15305(a), Class 5, states that minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density, including minor lot line adjustments not resulting in the creation any new parcel, are categorically exempt. Attachment I illustrates the average slope on the four reconfigured parcels.

**Agricultural Land Management Plan**

In accordance with Section 6364.C of the PAD zoning regulations, the following agricultural land management plan describes how the agricultural productivity of the land will be fostered and preserved in accordance with the requirements of Sections 6350 and 6355 of the PAD regulations.

As demonstrated throughout this Supplemental Statement, the proposed LLA, parcel merger, new FSZ contract and OSEs will ensure that the agricultural uses on parcels 1, 3, and 4 are preserved by realigning parcel boundaries with pre-existing agricultural uses and entering into a new FSZ contract on highly productive agricultural land on those reconfigured parcels and that grazing, open space, and low-intensity public recreational uses are protected and enhanced on reconfigured parcel 2 by realigning that parcel boundary with pre-existing grazing and open space uses and replacing the existing LCA and FSZ contracts with Open Space Easements on land that is well suited for continued grazing, open space, and public recreational uses on the northern portion of the parcel and open space, low-intensity public recreation and the possible reintroduction of grazing on the southern portion of the parcel.

Table 3 summarizes how the reconfigured parcels will be managed to demonstrate the productivity of the land.



**Table 3 (Approximate Acreages)**

Parcel ID #	Approximate Acreage in Crop Production*	Type of Crop* or Number of Grazing Head*	FSZ Contract or OSE
1	84	Irrigated Brussels Sprouts, English Peas or similar	FSZ
2	311	20 – 40 head (north of Higgins Canyon Rd.)	OSE – 20-years north of Higgins Canyon Rd. OSE – 10-years south of Higgins Canyon Rd.
3	2	Miscellaneous vegetable crops or hay	FSZ
4	110	Irrigated Brussels Sprouts, English Peas or similar	FSZ

\*Acreages in crop production and the type of crop or number of head in a cow/calf grazing operation are estimates only and will vary from year-to-year given changing product demand, or climate and soil conditions.

**Attachments:**



- Attachment A - Map #1 SS - Johnston Ranch Existing Parcel Configuration before Merger of Parcel A and B with Parcel 1 and after Merger of Parcel A and B with Parcel 1 (2 pages)
- Attachment B - Map #2 SS - Johnston Ranch Proposed Reconfiguration of Four Parcels
- Attachment C - Map #3 SS - Existing Land Conservation Act and Farmland Security Zone Contracts and Prime Agricultural
- Attachment D - Map #4 SS - Johnston Ranch San Mateo County Scenic Corridor
- Attachment E - Map #5 SS - Johnston Ranch Parcel 2 Additional Access Detail
- Attachment F - Master Land Division Plan (with seven maps)
- Attachment G - Map #6 SS - Page 1 of 2 - Johnston Ranch Existing Parcel Configuration, Water Infrastructure, and Existing Fencing
  - Map #6A SS - Page 2 of 2 - Johnston Ranch Agricultural Water Infrastructure on Four Reconfigured Parcels
- Attachment H - Biological Impact Report (separate PDF due to size)
- Attachment I - Map #7 SS - Johnston Ranch Average Slopes
- Attachment J - Map #8 SS - Johnston Ranch Proposed Farmland Security Zone Contract and Open Space Easements and Prime Agricultural Lands
- Attachment K - Draft Farmland Security Zone Contract
- Attachment L - Statement of Agricultural Uses
- Attachment M - Citation Sheet for Planned Recreational Uses
- Attachment N - Draft OSE Term Sheet





## Johnston Ranch - Cycle 1 - Supplemental Statement

Attachment A – Page 1 of 2 – Map #1 SS: Johnston Ranch Existing Parcel Configuration before Merger

-  Existing parcel
-  Existing parcel to be reconfigured

Midpeninsula Regional  
Open Space District  
(Midpen)  
8/27/2021



8/27/2021





While the District strives to use the best available digital data, these data do not represent a legal survey and are merely a graphic illustration of geographic features.





## Johnston Ranch - Cycle 1 - Supplemental Statement

### Attachment A – Page 2 of 2 – Map #1 SS – Johnston Ranch Parcel Configuration - After Merger

-  Existing parcel
-  Existing parcel to be reconfigured

Midpeninsula Regional  
Open Space District  
(Midpen)  
8/27/2021



Miles  
0 0.25 0.5







## Johnston Ranch - Cycle 1 - Supplement Statement

### Attachment B – Map #2 SS – Johnston Ranch Proposed Reconfiguration of Four Parcels

 Reconfigured parcel

Midpeninsula Regional  
Open Space District

(Midpen)

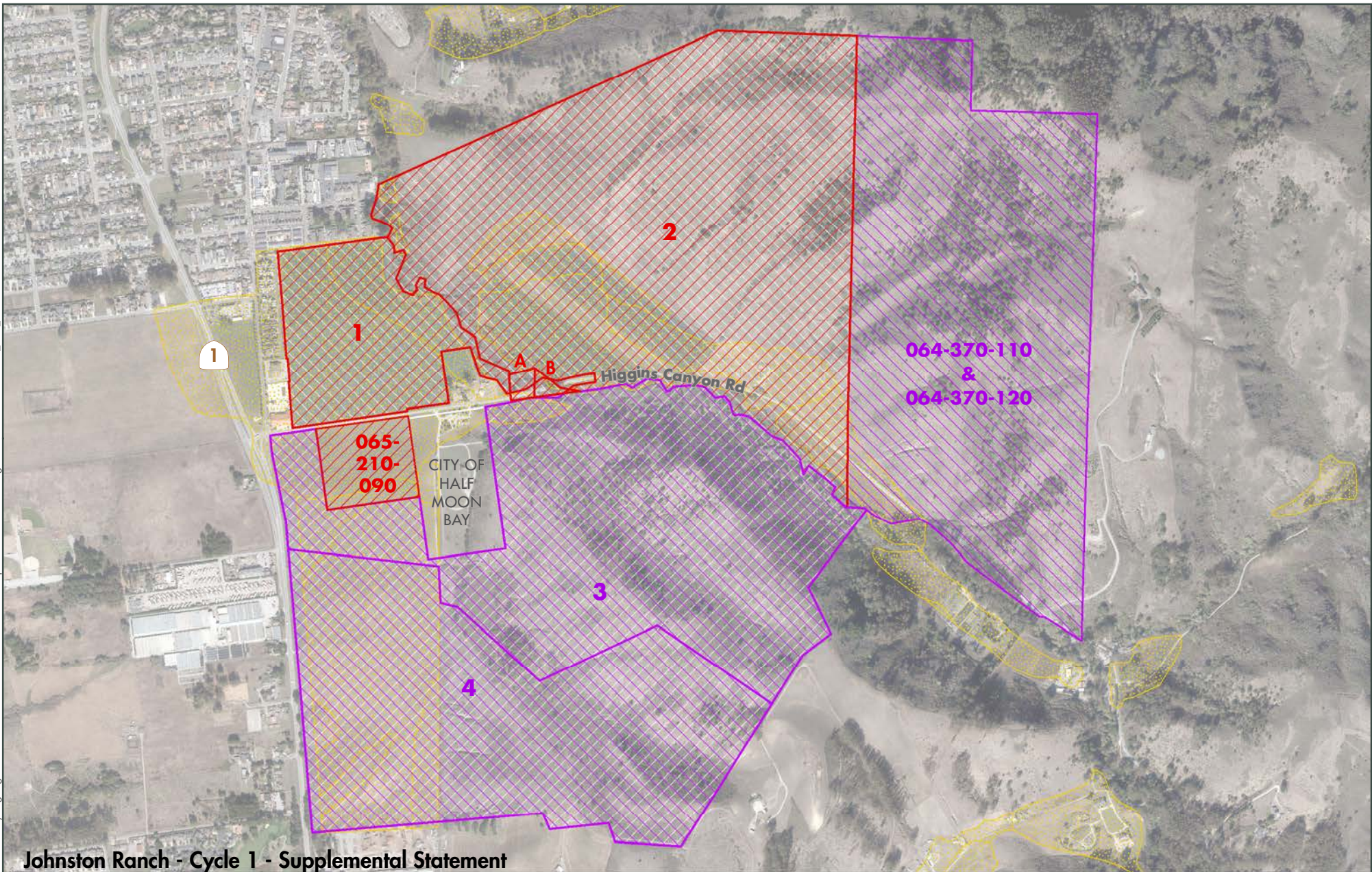
9/7/2021



Miles  
0 0.25 0.5











## Johnston Ranch - Cycle 1 - Supplemental Statement

### Attachment C – Page 1 of 2 – Map #3 SS – Johnston Ranch Existing Land Conservation Act and Farmland Security Zone Contracts and Prime Agricultural Land – Before Merger

- |  |   |
|--|---|
|  Existing parcel to be reconfigured |  20-year Farmland Security Zone parcel |
|  Prime agricultural lands           |  10-year Land Conservation Act parcel  |

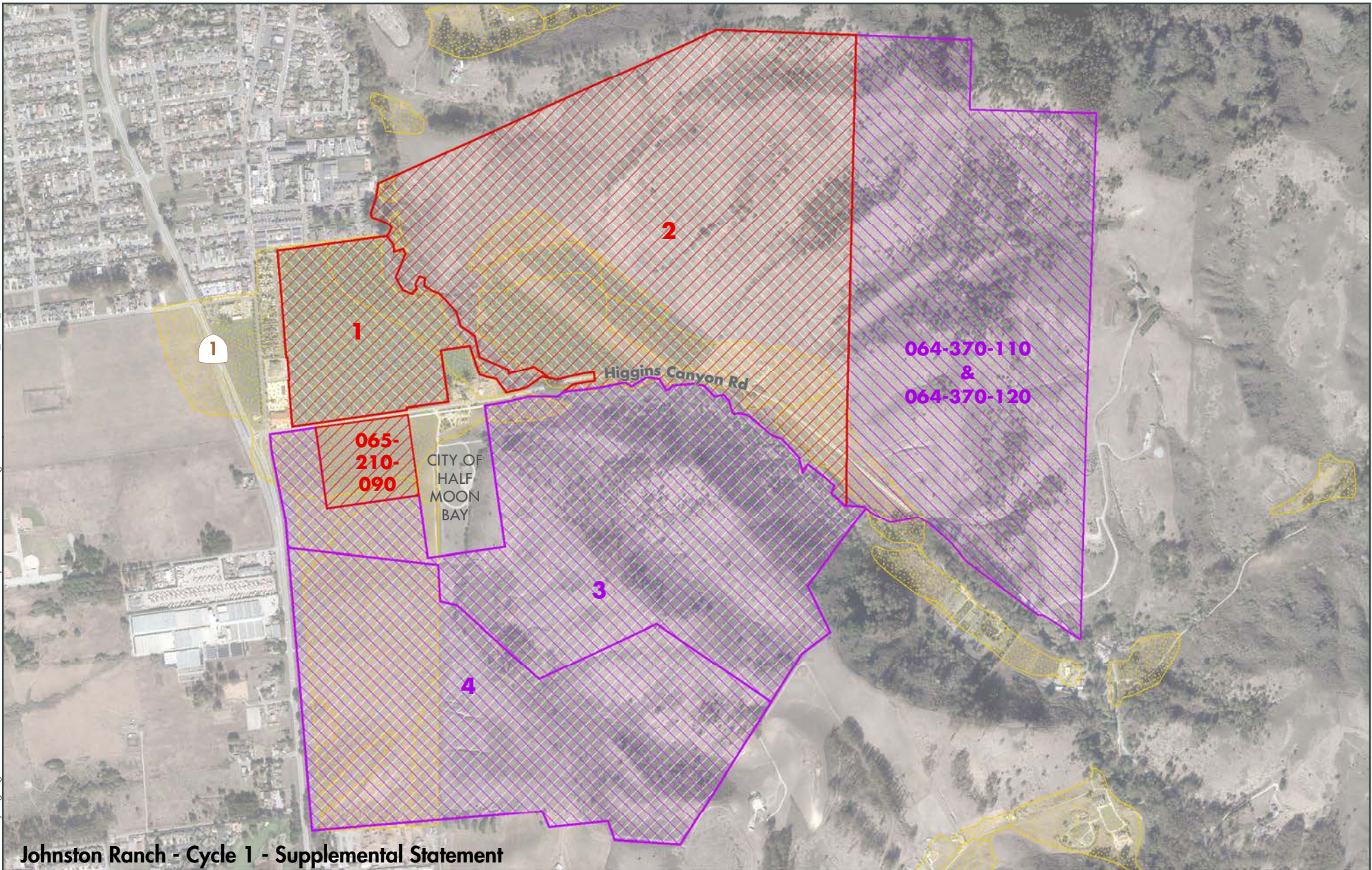
Midpeninsula Regional  
Open Space District  
(Midpen)  
8/26/2021



Miles  
0 0.25 0.5











### Johnston Ranch - Cycle 1 - Supplemental Statement

## Attachment C – Page 2 of 2 – Map #3 SS – Johnston Ranch Existing Land Conservation Act and Farmland Security Zone Contracts – After Merger

- |  |   |
|--|---|
|  Existing parcel to be reconfigured |  20-year Farmland Security Zone parcel |
|  Prime agricultural lands           |  10-year Land Conservation Act parcel  |

Midpeninsula Regional  
Open Space District  
(Midpen)  
8/26/2021



Miles  
0 0.25 0.5







**Johnston Ranch - Cycle 1 - Supplemental Statement**  
**Attachment D – Map #4 SS – Johnston Ranch San Mateo County Scenic Corridor**

-  Existing parcel
  Existing parcel to be reconfigured
-  San Mateo County scenic corridor

Midpeninsula Regional  
Open Space District  
(Midpen)  
8/26/2021







8/26/2021







# **Johnston Ranch - Cycle 1 - Supplemental Statement** **Attachment E – Map #5 SS – Johnston Ranch Parcel 2 Access Detail – After Parcel Reconfiguration**

-  Reconfigured parcel
-  Existing Access easement (30-foot width)
-  Existing Access easement (30-foot width)
-  Proposed patrol & maintenance access easement (20-foot width)

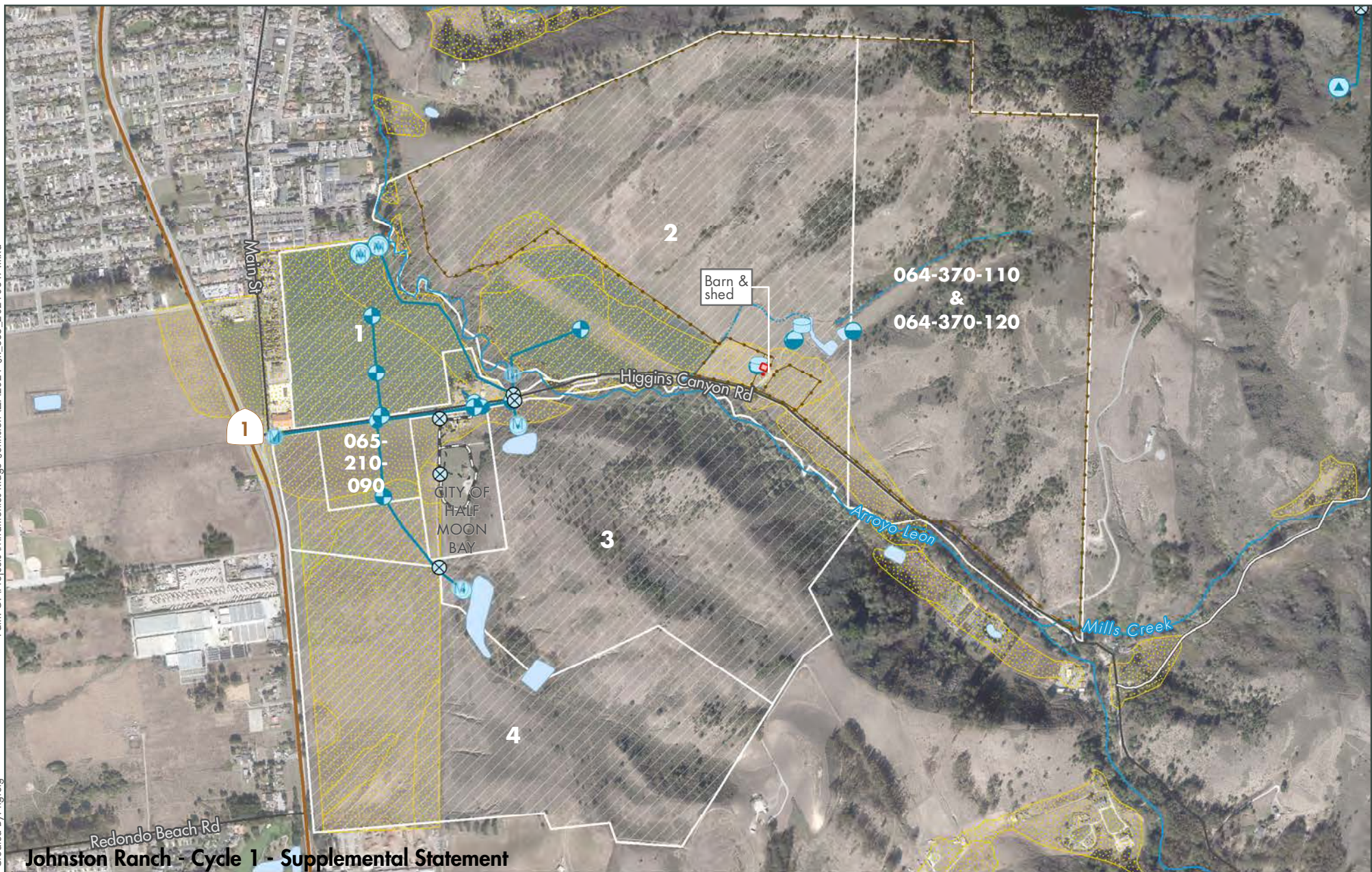
Midpeninsula Regional  
 Open Space District  
 (Midpen)  
 9/7/2021



Miles  
 0 0.1 0.2







# Johnston Ranch - Cycle 1 - Supplemental Statement

## Attachment G – Page 1 of 2 – Map #6 SS – Johnston Ranch Existing Parcel Configuration and Agricultural Water Infrastructure and Existing Fencing – Before Parcel Reconfiguration

- |                          |              |             |
|--------------------------|--------------|-------------|
| Existing parcel          | Water tank   | Outlet      |
| Prime agricultural lands | Water trough | Water riser |
| Fence                    | Culvert      | Water valve |
| Barn and shed            | Water meter  | Well        |

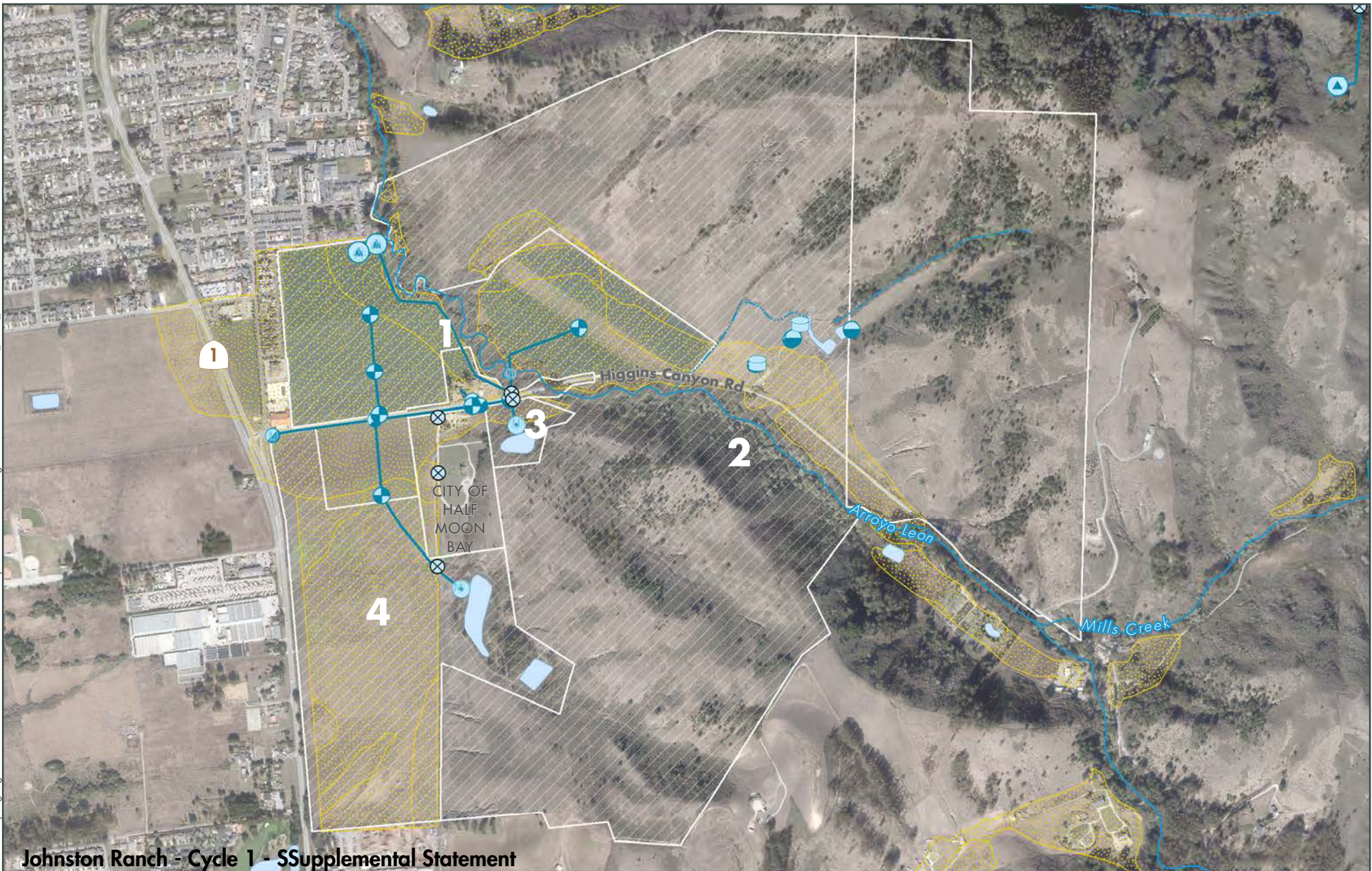
Midpeninsula Regional  
Open Space District  
(Midpen)  
9/7/2021



Miles  
0 0.25 0.5

















## Johnston Ranch - Cycle 1 - SS Supplemental Statement

### Attachment G – Page 2 of 2 – Map #6A SS – Johnston Ranch Agricultural Water Infrastructure on Four Reconfigured Parcels – After Parcel Reconfiguration

- |   |                     |   |              |   |             |   |                          |
|---|---------------------|---|--------------|---|-------------|---|--------------------------|
|  | Reconfigured parcel |  | Water trough |  | Water riser |  | Prime agricultural lands |
|  | Water tank          |  | Culvert      |  | Water valve |   |                          |
|  | Outlet              |  | Water meter  |  | Well        |   |                          |

Midpeninsula Regional  
Open Space District  
(Midpen)

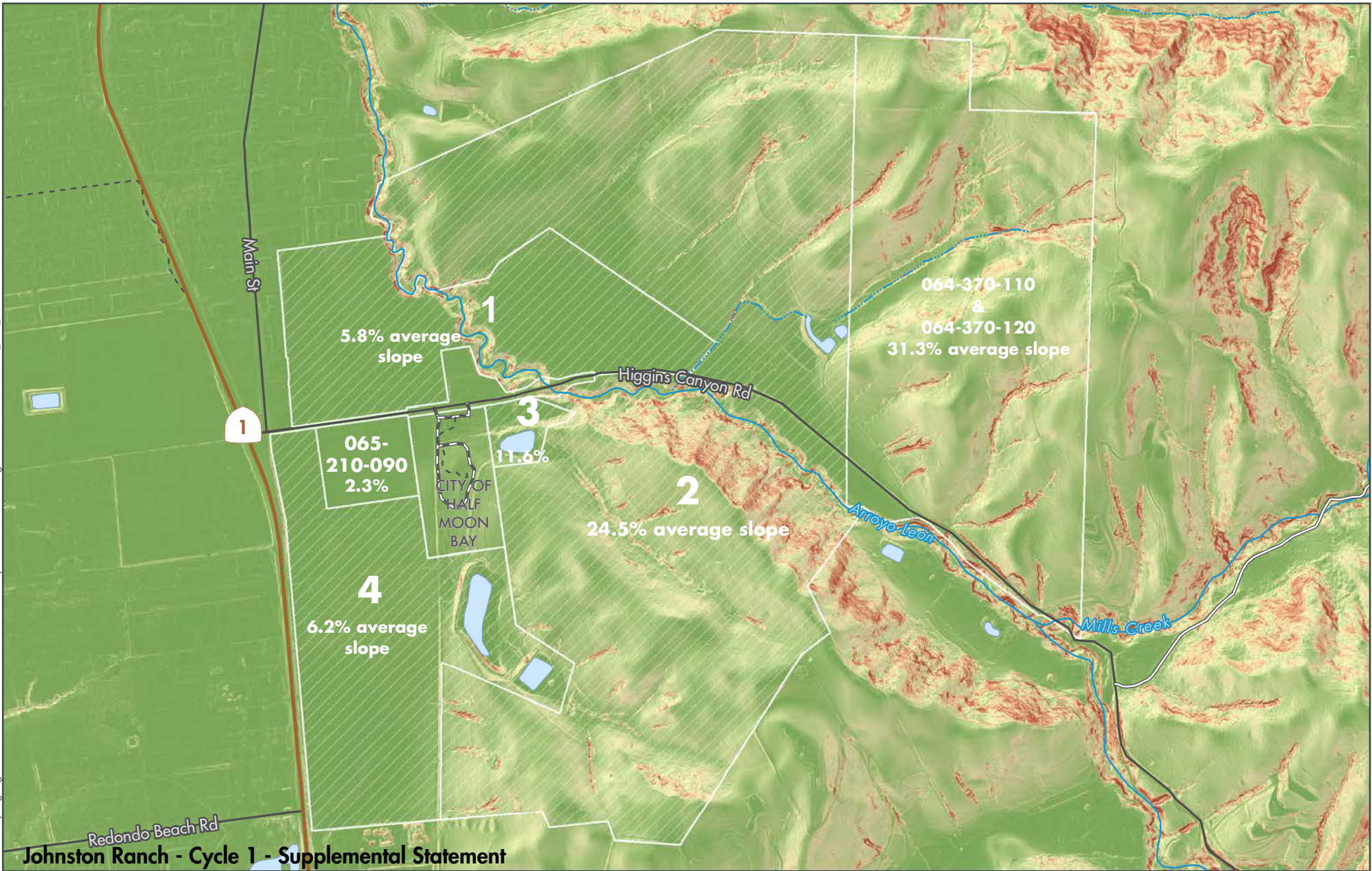


8/27/2021

Miles  
0 0.25 0.5







## Attachment I - Map #7 SS - Johnston Ranch Average Slopes

Reconfigured parcel (average percent slope)  
Average slope across parcels 1, 2, 3, & 4: **18.5%**

Flat Steep

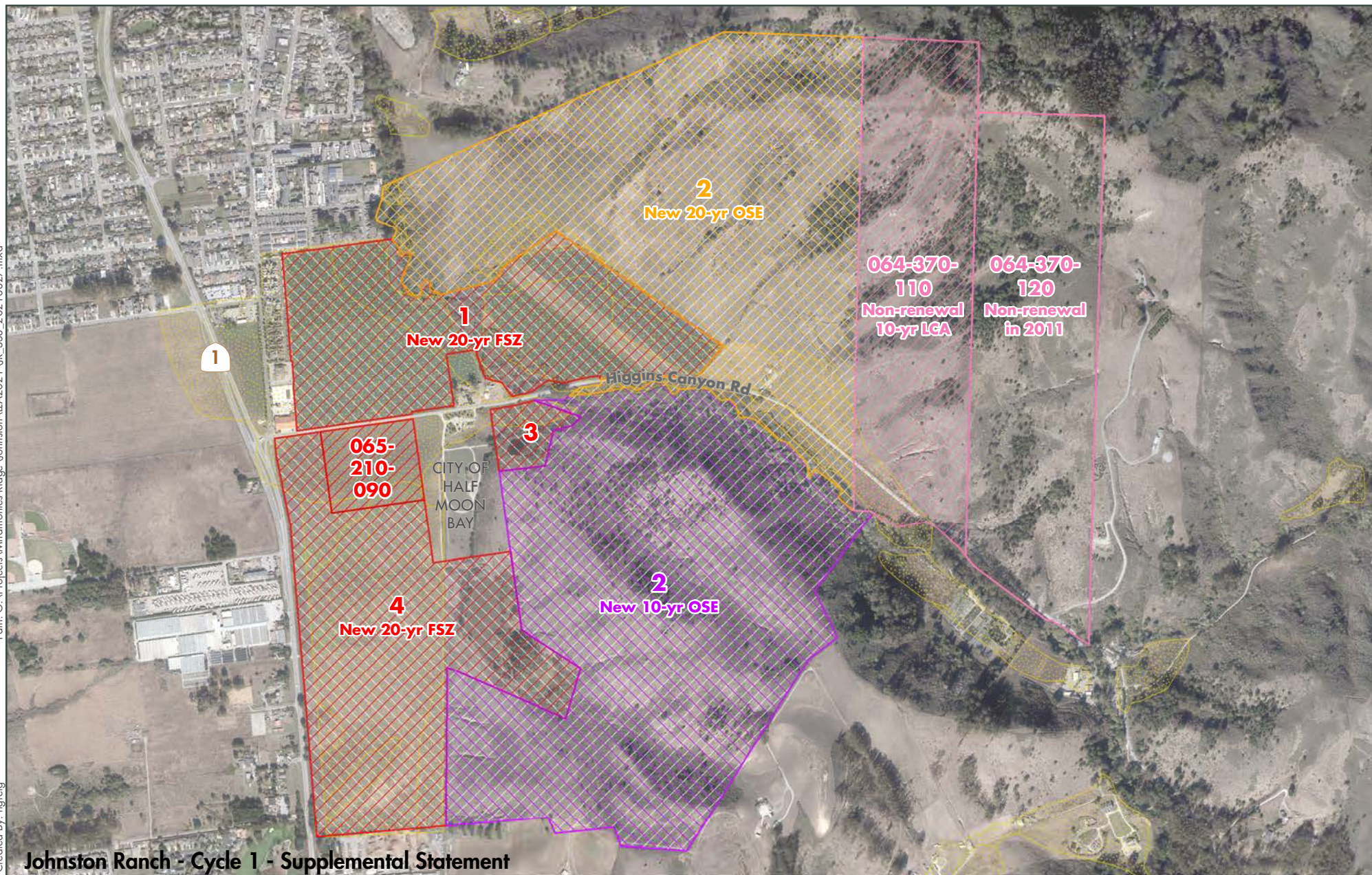
Parcel 1 5.8%  
Parcel 2 24.5%  
Parcel 3 11.6%  
Parcel 4 6.2%  
**Average 18.5%**

Midpeninsula Regional  
Open Space District  
(Midpen)  
8/27/2021



Miles 0 0.25 0.5





## Johnston Ranch - Cycle 1 - Supplemental Statement

### Attachment J – Map #8 SS – Johnston Ranch Proposed Farmland Security Zone Contract and Open Space Easements

- |  |   |  |                                    |
|--|---|--|------------------------------------|
|  | New 20-year Farmland Security Zone                    |  | New 10-year Open Space Easement    |
|  | Non-renewal of existing 10-year Land Conservation Act |  | New 20-year Open Space Easement    |
|  | Non-renewal by San Mateo County in 2011               |  | Existing parcel to be reconfigured |
|  |   |  | Prime agricultural lands           |

Midpeninsula Regional  
Open Space District  
(Midpen)  
9/14/2021



Miles  
0 0.25 0.5





**Attachment F**  
Johnston Ranch  
Master Land Division Plan (MLDP)

This document and the attached maps constitute the Master Land Division Plan (MLDP) for the approximately 868-acre Johnston Ranch, located in the vicinity of the City of Half Moon Bay (the City) (Attachment 1 - Map #1). The intent of this MLDP is to optimize the subject parcels for agricultural use and public benefit. Johnston Ranch consists of eight existing legal parcels owned by Peninsula Open Space Trust (POST). The project involves merger of two parcels and the subsequent reconfiguration of four of the resulting parcels through a land division (lot line adjustment) application brought about in connection with purchase of such land by a public agency [Midpeninsula Regional Open Space District (MROSD)] for public recreation use, as allowed under the State's Coastal Act of 1976 and the San Mateo County Local Coastal Program. The merger of two parcels and the reconfiguration of four of the remaining six parcels will maintain cultivated farm property of approximately 224 acres to be retained by POST and approximately 644-acres of the upland areas to be purchased by MROSD, with the roughly 311 acres of livestock grazing continued on the open space north of Higgins Canyon Road.

The eight existing parcels that constitute Johnston Ranch are shown on Map #2 attached to this MLDP (Attachment 2). Following merger of two parcels, four of the remaining six parcels, constituting 644 acres of the total 868 acres, will be reconfigured as described in this MLDP to preserve cultivated farm land and open space to continue in grazing, and to allow for future public trails.

Preserving Agriculture

POST purchased Johnston Ranch through two transactions in 1998 and 2001 to prevent development and preserve the historic ranch and farm following an effort by previous owners to build out the property as a golf resort. The parcel reconfigurations described below will further preserve and enhance agriculture by realigning parcel boundaries to support the continuation of agricultural operation. POST will preserve the parcels it retains by encumbering them with a permanent agricultural conservation easement at the time of future transfer to a farmer. The conservation easement will include mandatory agricultural use provisions and restrict development. Any proposed development on the agricultural parcels in the future will, of course, be subject to the permitting and public review process required by local regulations.

The reconfigured cultivated parcels will be easier to manage, will retain existing agricultural production, and will enhance a farmer's ability to control production and monitor food safety. In addition, the reconfigured boundaries and size will facilitate the future sale of cultivated farmland to a private owner/operator by allowing the farmer to purchase the cultivated land and associated water resources without incurring the expense of purchasing and maintaining another 644 acres of adjoining uplands and riparian corridor. The private farm owner/operator

will be able to build equity in the land while the conservation easement provides long-term security for the benefits that this farm provides for local agriculture and the community.

The parcel reconfiguration described below will also preserve existing agricultural uses on the parcels to be obtained by MROSD. Existing grazing operations on the north side of Higgins Canyon Road and dry farming/hay production on seven acres on the south side of Higgins Canyon Road will continue under a long-term grazing lease in MROSD ownership, in compliance with mitigation measures adopted as part of the MROSD Service Plan for the Coastal Annexation Area, certified by the San Mateo County Local Area Formation Commission (LAFCo) in 2004.

In addition, the Johnston Ranch parcels are enrolled in two Williamson Act contracts: one Land Conservation Act contract and one Farmland Security Zone contract. The existing contracts will need to be modified to conform with the parcel reconfigurations, which is addressed in separate documents prepared in conjunction with the land division application. These modifications are intended to increase the length of time that the cultivated agricultural acreage to be retained by POST will be protected as part of a rolling 20-year Farmland Security Zone (FSZ) contract and will protect the grazed uplands to be acquired by MROSD through Open Space Easements, a long-term grazing lease agreement and a Rangeland Management Plan.

All of these benefits comply with the Agricultural Component of the San Mateo County General Plan (specifically Policies 9.28 and 9.29), the County Local Coastal Program (LCP) (specifically Policies 5.5, 5.6, 5.10, and 5.12), and the zoning requirements in the Planned Agricultural District (PAD), as explained in the accompanying Supplemental Statement.

#### Enhancing Open Space/Public Recreation

This MLDP is brought about in connection with the purchase of land by a public agency for public recreational uses and complies with County General Plan Policy 9.35, and the applicable LCP policies in the Recreation/Visitor Serving Facilities Component, specifically Policies 11.8, 11.10, 11.11, 11.12, 11.13 and 11.14.

The proposed land division enhances open space and public recreation uses by optimizing parcel configurations for grazing, open space, and future public recreation on the upland areas and provides areas for buffers between these uses and the cultivated parcels. Potential future trails for public use on the existing and reconfigured parcels are shown on attached Maps #3 and #3A, respectively, (Attachment 3 - pages 1 of 3 and 2 of 3, respectively) and are consistent with the Recreation/Visitor Serving Facilities Component of the LCP Policy 11.13 which *“establishes a trails program for the Coastal Zone with the objective of: “1) connecting major shoreline areas and trails to inland park and recreational facilities and trails, and 2) linking existing and proposed recreational facilities along the coast.”*

The conceptual future trail depicted along Higgins Canyon Road between Highway 1 and the City of Half Moon Bay's Johnston House property meets the goals of the LCP Policy 11.13 stated above and is consistent with LCP Chapter 11.13b (2)c which specifically identifies a regional trail in the vicinity of the proposed MLDP as the "Half Moon Bay State Beach to Huddart Park Trail." Future implementation along this regional trail route is also consistent with the San Mateo County Trails Master Plan for "Proposed Route P14: Burleigh Murray Ranch State Park to the Coast" and with the San Mateo County Comprehensive Bicycle and Pedestrian Plan. Further, the trail is identified in the City's Bike and Pedestrian Master Plan to connect the Naomi Patridge Trail along Highway 1 to the Johnston House Park. POST has granted the City a 30-foot-wide trail easement along the south side of Higgins Canyon Road between the intersection of Highway 1 and the City's Johnston House Park property (approximately 1,225 feet long) to facilitate future implementation of this segment of the regional trail. At a future date, the City will conduct public outreach, plan, design, permit, and implement the final trail alignment of this segment which connects to a new safety highway crossing and the redesigned southern entrance to downtown Half Moon Bay.

The conceptual future trails identified within and adjacent to the property to be acquired by MROSD facilitate future public access to connect to MROSD's Miramontes Ridge Open Space Preserve located northeast of Johnston Ranch, as identified in MROSD's Vision Plan Portfolio Project 1: Miramontes Ridge Gateway to the San Mateo Coast Public Access, Stream Restoration and Agricultural Enhancements. At a future date, MROSD will conduct more thorough field scouting to determine a feasible alignment before proceeding to coordination with other public agency partners, public outreach, design, permitting, and implementation.

Future trails on this property will also further the new regional planning effort to implement a "Bay to Sea Trail" envisioned to connect the California Coastal Trail to the San Francisco Bay Trail, involving the efforts of the public agencies listed above plus the Golden Gate National Recreation Area (GGNRA), California State Parks, City of Half Moon Bay, San Mateo County Parks, the San Francisco Public Utilities Commission (SFPUC), Redwood City, and the Coastsides Land Trust. West of Highway 35 (Skyline Boulevard), the Bay to Sea Trail is envisioned to coincide with the alignment of the Half Moon Bay State Beach to Huddart Park Trail. The alignments of regional trails depicted in the attached maps within the vicinity of Johnston Ranch are conceptual and provided for illustrative purposes only (Attachment 3 - Page 3 of 3 - Map #3B).

#### Buffer Areas Between Uses

The proposed changes to parcel boundaries will enable appropriate buffer zones between agricultural and sensitive habitats and future public recreational uses. Riparian buffers have been identified in the accompanying Biological Impact Report, prepared by LSA, dated February 2021. The report concludes that there are no adverse environmental impacts from the land

division. Should the need for buffer zones between uses be identified in the future, adequate space has been provided to accommodate those buffers.

#### Four Existing Parcels

While Johnston Ranch is comprised of eight legal parcels, only four parcels will be reconfigured as proposed in this MLDP. The two small parcels to be merged (Parcels A and B) and the four resulting parcels to be reconfigured (Parcels 1, 2, 3, and 4) that are covered by this MLDP are shown on attached Map #4 (Attachment 4) and equal about 644 acres. Each of the parcels have verified Assessor Parcel Numbers (APNs) or approved Certificates of Compliance (CoCs) as shown in Table 1 below. The four parcels in their existing configuration (after the merger) are referred to as “Existing Parcels” in this MLDP and the four parcels in their proposed configuration are referred to as “Reconfigured Parcels”. The accompanying LLA map, prepared by a licensed surveyor, uses the nomenclature “Existing Parcels” and “Proposed Lots”, with “Proposed Lots” being the same as the “Reconfigured Parcels” discussed in this MLDP.

One of the existing four parcels to be reconfigured (No. 1) is comprised exclusively of prime agricultural soil and is used solely for cultivated agriculture. Three of the existing parcels (Nos. 2, 3, and 4) are comprised of some prime agricultural land, which is used for agriculture, and some upland areas that are not suitable for cultivated agriculture. Existing Parcel 2 contains a ranch center with a barn and other infrastructure accessory to and supportive of the grazing operation on this parcel and the adjoining parcel to the east (comprised of two APNs: 064-370-110 & 064-370-120), which is part of Johnston Ranch but not part of the land division or this MLDP. Two of the existing parcels (A and B) are very small and while mapped as containing prime agricultural soil, are located primarily within the stream channel or riparian corridor of Arroyo Leon and are overlapped by Higgins Canyon Road.

All the upland portions of existing parcel nos. 2, 3, and 4 lack suitability for cultivated agricultural use due to steeper slopes, poor soil quality, and/or lack of infrastructure such as fencing, and have limited access. Two of the three onsite irrigation reservoirs are bisected by the property line between existing parcels 3 and 4. All three of the irrigation ponds are used to support the irrigated row crops grown on existing parcel 1, the south western portion of parcel 2, and the western portions of existing parcels 3 and 4. The upland portion of parcel 2 and the parcel to the east (APNs 064-370-110 & 120) are grazed with cattle and supported by a stock-watering pond and water tanks located on parcel 2. The upland portion of parcels 3 and 4 have not been commercially grazed for more than twenty years, do not contain infrastructure (fencing, or corral area) necessary to support grazing, and have limited access.

Table 1 below shows the acreage of the existing four parcels to be reconfigured and the two parcels to be merged as well as the existing uses of each parcel.



**Table 1 - Approximate Acreages and Use of Existing Parcels in the MLDP**

Parcel ID on Map #4	APN	CoC #	Parcel Acreage	Prime Agricultural Land (acres)	Existing Use
1	064-370-200	N/A	50	45	Agriculture and riparian corridor
2 (1.A)*	064-370-070	N/A	249	66	Grazing, Farm Center and hilly terrain
3	065-210-230 065-210-240	N/A	183 (total for both APNs)	21	Agriculture, riparian corridor, and hilly terrain
4	065-210-220	N/A	161	61	Agriculture and hilly terrain
A (1.C) and B (1.B)*	N/A	2017-106396 2017-106397	1 (total for both parcels)	0	Within Stream Channel
<b>TOTALS</b>			<b>644</b>	<b>193</b>	

\*Parcels A and B were approved for Certificates of Compliance by the San Mateo County Planning and Building Department on 11/9/2017 and recorded with the County Recorder on 11/29/2017. The two parcels had been historically associated with APN 064-370-070 but are separate parcels equaling approximately 1 acre in total. Parcels 2, A, and B are also sometimes referred to as parcels 1A, 1C, and 1B, respectively, in official County documents.

#### Parcel Merger

Parcels A and B would be merged with existing Parcel 1 which would increase the acreage in Parcel 1 by approximately one acre (at least until the LLA is complete). Some of the acreage in the two small parcels would be eliminated when merged with existing parcel 1 because it overlaps with the Higgins Canyon roadway.

#### Reconfiguration and Land Division

Reconfiguring parcel boundaries through a lot line adjustment to align boundaries with the uses on the parcels, as further described below, will help preserve existing agricultural uses and provide open space, continued grazing and future low intensity public recreation on those parcels that will be acquired by MROSD.

#### Parcels 1 and 2:

The existing lot line between existing Parcels 1 and 2 would be moved eastward so that proposed Parcel 1 is reconfigured to be better suited for continued cultivation and becomes about 44 acres larger than existing Parcel 1 (including the approximately 1 acre from merged Parcels A and B) as shown on Attachment 5. A significant portion of the prime agricultural soil currently planted with row crops and located on existing Parcel 2 would become part of reconfigured Parcel 1. Parcel 1 remains primarily composed of prime soils and will be encumbered by POST with a permanent agricultural conservation easement when it is transferred to a farmer. The primary intended use of this reconfigured parcel is row crop production as indicated on Attachment 5.

Reconfigured Parcel 2 will be better suited for grazing, open space, and future public recreational use and would become about 434 acres when the final LLA is complete as explained below. It is composed primarily of upland areas that are not suitable for cultivated agriculture because of steep slopes and lack of infrastructure. Parcel 2 would retain approximately 27 acres of prime agricultural soil, although only a small portion adjacent to Higgins Canyon Road has been used for hay production in recent years/decades. Grazing would continue on the upland portion of this parcel north of Higgins Canyon Road. Although potential for some cultivated agricultural activity will remain on Parcel 2, this parcel is also well suited for open space and future public recreational use as identified on Attachment 5.

#### Parcel 3:

The existing lot line between existing Parcels 3 and 4 would be moved northward to reconfigure Parcel 3 into a seven-acre parcel, which would continue to have acreage for cultivation, a small irrigation reservoir, and provides the potential for a small farm center in the future to support reconfigured Parcel 4. Reconfigured Parcel 3 would remain in private farm ownership and be encumbered with a conservation easement when transferred by POST in the future. A requirement of that easement will be that reconfigured Parcels 3 and 4 and existing parcel 065-210-090 (which is not part of this MLDP as shown on Attachment 5) remain in the same ownership in perpetuity. This provision will ensure Parcel 3 remains available for irrigation, cultivation, and accessory agricultural uses to support the adjoining cultivated area.

#### Parcel 4:

The existing lot line between existing Parcels 2 and 3 would be moved southwestward to reconfigure Parcel 4 into a 110-acre agricultural parcel which would remain in cultivated agricultural use and would result in a reconfigured Parcel 2 consisting of 434 acres which are suitable for open space, future low-intensity public recreation and grazing as stated above and shown on Attachment 5.

Table 2 below lists the acreages and uses of the reconfigured parcels.

**Table 2 - Approximate Acreages and Use of Reconfigured Parcels**

Parcel No. on Map #5	Reconfigured Parcel Acreage	Prime Agricultural Land (Acres)	Uses
1	93	84	Agriculture, riparian corridor
2	434	27	Open Space with grazing, riparian corridor, and low-intensity public recreation
3	7	2	Agriculture
4	110	79	Agriculture
<b>TOTALS</b>	<b>644</b>	<b>193</b>	

Attachment 5 shows the reconfigured parcels, prime agricultural land, and water infrastructure serving the parcels.

#### Parcel Access

All four reconfigured parcels would be accessed directly from Higgins Canyon Road. The City of Half Moon Bay has granted POST and MROSD an access easement across the western side of the City's Johnston House property from Higgins Canyon Road for additional access to the agricultural fields of reconfigured Parcel 4 and the upland areas of reconfigured Parcel 2. In addition, an easement over an existing farm road from Highway 1 across reconfigured Parcel 4 will be granted to MROSD to serve as an appurtenant seasonal access easement to the southern portion of reconfigured Parcel 2. These access easements are shown on Attachment 6.

#### Density Credit Reallocation

The San Mateo County Planning and Building Department completed a Density Analysis for Johnston Ranch in July 2020 and determined that 12 density credits exist on the Ranch's eight existing parcels. Only 9 of those 12 credits are involved in the LLA and parcel merger.

Although not explicitly stated in the County's LCP, Zoning Regulations, or Subdivision Regulations, the County has assumed that existing density credits are extinguished when parcels are merged. Remaining density credits may be reallocated to reconfigured parcels as long as the total number of credits do not exceed the number allocated to the parcels as originally configured. This MLDP allocates the remaining density credits to the reconfigured parcels, as shown in Table 3.

**Table 3 – Existing and Reallocated Density Credits**

Parcel ID #/Letter	Existing Acreage	Existing Density Credits	Reconfigured Acreage	Reallocated Density Credits
1	49	1	93	2***
2*	250	3****	434	3****
3	183	2***	7	1
4	161	1	110	1
A*	0.5	1	0 (merged w/ 1)	0
B*	0.5	1	0 (merged w/ 1)	0
090**	14**	1**	14**	1**
110/120**	210**	2**	210**	2**
<b>TOTALS</b>	<b>868</b>	<b>12</b>	<b>868</b>	<b>10</b>

\*Parcels A and B were determined to be legally existing, and separate from Parcel 2, through the Certificate of Compliance, Type A, application approved by the San Mateo County Planning and Building Department on 11/9/2017 and recorded with the County Recorder on 11/29/2017. The two parcels had been historically associated with Parcel 2 but are separate parcels equaling approximately 1 acre in total. Parcels 2, A, and B are also sometimes referred to as parcels 1A, 1C, and 1 B, respectively in official County documents.

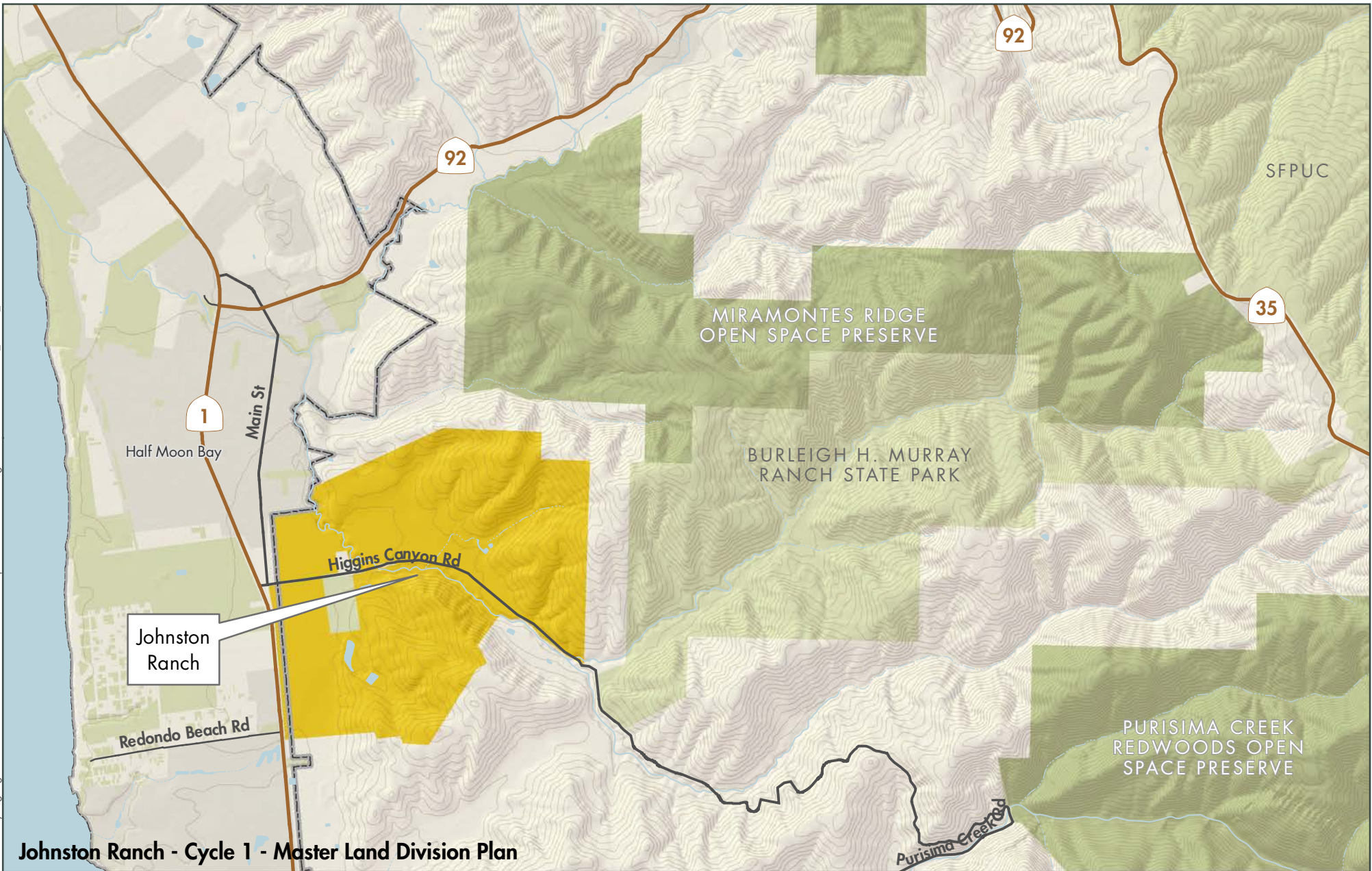
\*\*These parcels, acreages and density credits are not included in the lot line adjustment or parcel merger.

\*\*\*Reconfigured Parcel 1 would retain its existing 1 density credit plus 1 density credit reallocated from reconfigured Parcel 3 for a total of 2 density credits.

\*\*\*\*Reconfigured Parcel 2 would retain all 3 of its original density credits.

### Attachments

- 1) Attachment 1 - Map #1 MLDP - Johnston Ranch Regional Location
- 2) Attachment 2 - Map #2 MLDP – Johnston Ranch Existing Eight Parcel Configuration, and Prime Agricultural Land
- 3) Attachment 3 - Map #3 MLDP – Page 1 of 3 - Johnston Ranch Conceptual Future Trails on Eight Existing Parcels  
 Map #3A MLDP - Page 2 of 3 - Johnston Ranch Conceptual Future Trails on Four Reconfigured Parcels  
 Map #3B MLDP - Page 3 of 3 - Johnston Ranch Regional Trail Connections
- 4) Attachment 4 - Map #4 MLDP - Johnston Ranch Existing Four Parcel Configuration and Prime Agricultural Lands
- 5) Attachment 5 - Map #5 MLDP - Johnston Ranch Reconfigured Four Parcels, Prime Agricultural Land, and Water Infrastructure
- 6) Attachment 6 - Parcel Access Easements



**Johnston Ranch - Cycle 1 - Master Land Division Plan**

**Attachment 1 – Map #1 MLDP – Johnston Ranch Regional Location**

- |   |  |
|---|--|
|  Johnston Ranch  |  City of Half Moon Bay limits |
|  Midpen preserve |  Other protected land         |

Midpeninsula Regional  
Open Space District  
(Midpen)  
8/17/2021



Miles  
0 0.5 1







# Johnston Ranch - Cycle 1 - Master Land Division Plan

## Attachment 2 – Page 1 of 2 – Map #2 MLDP – Johnston Ranch Existing Parcel Configuration and Prime Agricultural Lands – Before Merger

- Existing parcel
- Existing parcel to be reconfigured
- Prime agricultural lands

Midpeninsula Regional  
Open Space District  
(Midpen)  
8/27/2021



Miles  
0 0.25 0.5







### Johnston Ranch - Cycle 1 - Master Land Division Plan

## Attachment 2 – Page 2 of 2 – Map #2 MLDP – Johnston Ranch Existing Parcel Configuration and Prime Agricultural Lands – After Merger

-  Existing parcel
-  Existing parcel to be reconfigured
-  Prime agricultural lands

Midpeninsula Regional  
Open Space District  
(Midpen)  
8/27/2021



Miles  
0 0.25 0.5









## Johnston Ranch - Cycle 1 - Master Land Division Plan


### Attachment 3 – Page 1 of 3 – Map #3 MLDP – Johnston Ranch Conceptual Future Trails on Existing Parcels

 Existing parcel

 Existing parcel to be reconfigured

 Miramontes Ridge OSP

 Conceptual future trail

 Trail easement with City of Half Moon Bay

 Burleigh H. Murray Ranch State Park

Midpeninsula Regional  
Open Space District  
(Midpen)  
8/27/2021



Miles  
0 0.25 0.5












# Johnston Ranch - Cycle 1 - Master Land Division Plan

## Attachment 3 – Page 2 of 3 – Map #3A MLDP – Johnston Ranch Conceptual Future Trails after Parcel Reconfiguration

-  Reconfigured parcel
-  Conceptual future trail

-  Trail easement with City of Half Moon Bay

-  Miramontes Ridge OSP
-  Burleigh H. Murray Ranch State Park

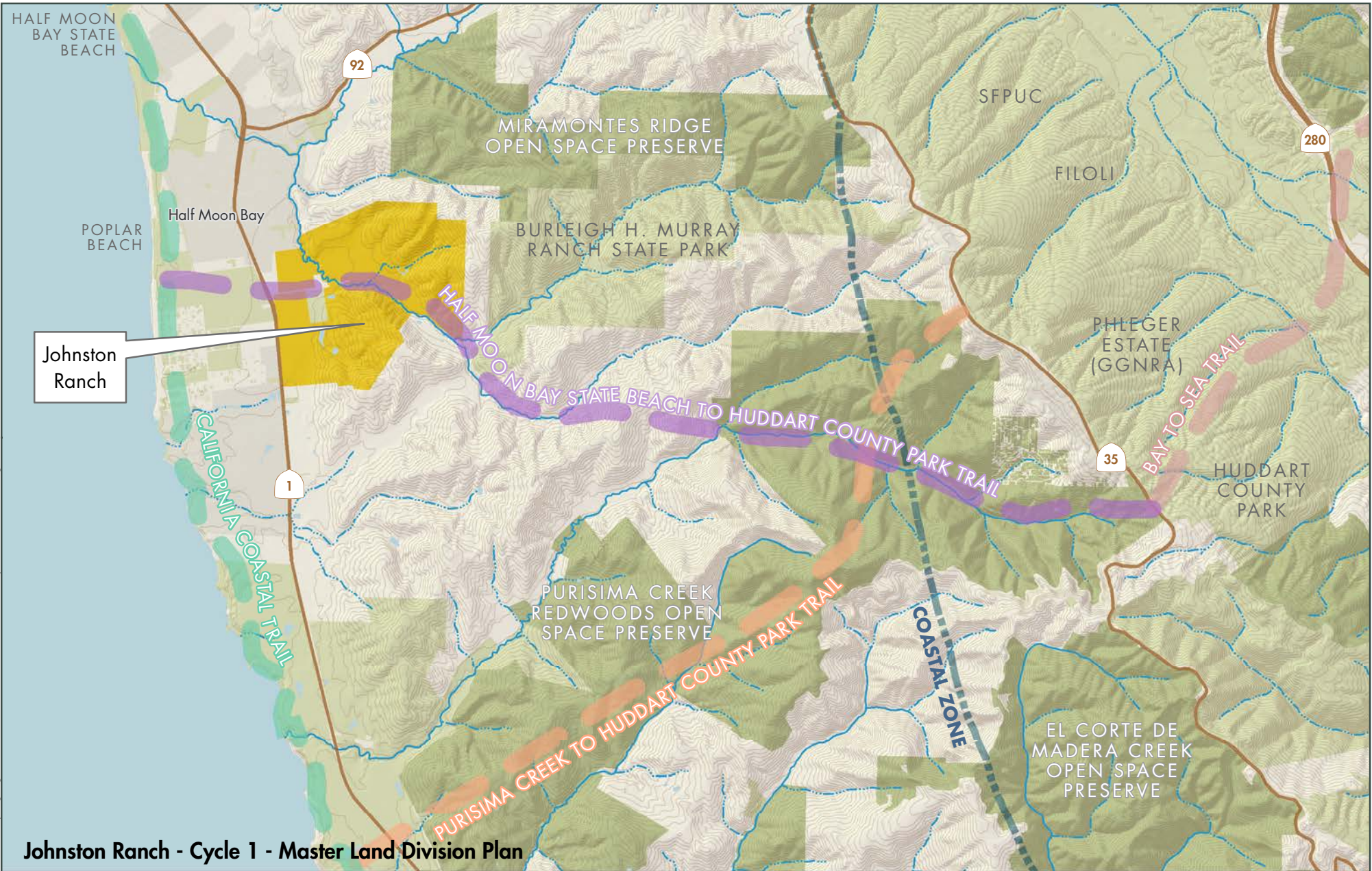
Midpeninsula Regional  
Open Space District  
(Midpen)  
8/27/2021









Miles  
0 0.25 0.5







### Attachment 3 – Page 3 of 3 – Map #3B MLDP – Johnston Ranch Regional Trail Connections

- |  |   |
|--|---|
|  Johnston Ranch       |  Half Moon State Beach to Huddart County Park Trail (LCP 11.13b(2)(c)) |
|  Midpen preserve      |  California Coastal Trail (LCP 11.13b(1))                              |
|  Other protected land |  Purisima Creek to Huddart County Park Trail (LCP 11.13b(2)(d))        |

Midpeninsula Regional  
Open Space District  
(Midpen)



8/17/2021









### Johnston Ranch - Cycle 1 - Master Land Division Plan

### Attachment 4 - Page 1 of 2 - Map #4 MLDP - Johnston Ranch Existing Parcel Configuration and Prime Agricultural Lands – Before Merger

-  Existing parcel
-  Prime agricultural lands

Midpeninsula Regional  
Open Space District  
(Midpen)  
8/27/2021





Miles  
0 0.25 0.5







## Attachment 4 – Page 2 of 2 – Map #4 MLDP – Johnston Ranch Existing Parcel Configuration and Prime Agricultural Lands – After Merger

-  Existing parcel
-  Prime agricultural lands

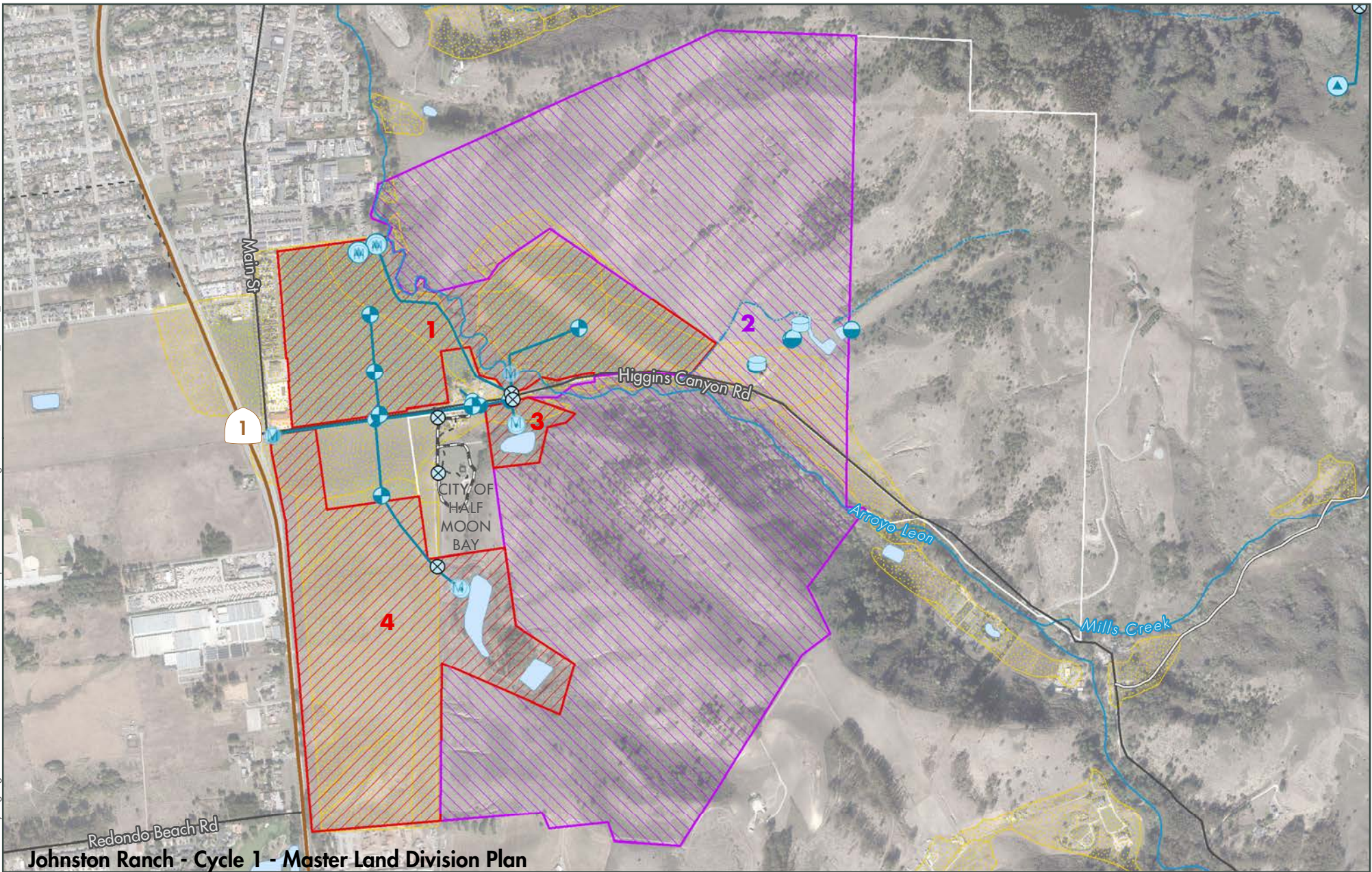
Midpeninsula Regional  
Open Space District  
(Midpen)  
8/27/2021



Miles  
0 0.25 0.5







## Johnston Ranch - Cycle 1 - Master Land Division Plan

### Attachment 5 – Map #5 MLDP – Johnston Ranch After Parcel Reconfiguration Prime Agricultural Land, and Agricultural Water Infrastructure

- |                          |              |             |
|--------------------------|--------------|-------------|
| Parcel                   | Water tank   | Outlet      |
| Prime agricultural lands | Water trough | Water riser |
| Agricultural parcel      | Culvert      | Water valve |
| Upland parcel            | Water meter  | Well        |

Midpeninsula Regional  
Open Space District  
(Midpen)  
8/27/2021



Miles  
0 0.25 0.5





# **Johnston Ranch - Cycle 1 - Master Land Division Plan** **Attachment 6 – Map #6 MLDP – Johnston Ranch Access Detail**



Reconfigured parcel



Existing Access easement (30-foot width)



Existing Access easement (30-foot width)



Proposed patrol & maintenance access easement (20-foot width)



Midpeninsula Regional  
 Open Space District  
 (Midpen)  
 9/7/2021



Miles

0

0.1

0.2





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

**ATTACHMENT E**

**RESOLUTION NO. \_\_\_\_\_**

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

\* \* \* \* \*

**RESOLUTION AUTHORIZING THE RESCISSION OF A CALIFORNIA LAND CONSERVATION CONTRACT (WILLIAMSON ACT) AND SIMULTANEOUS EXECUTION OF A GRANT OF OPEN SPACE EASEMENT, CONSISTENT WITH THE CALIFORNIA LAND CONSERVATION ACT OF 1965, THE CALIFORNIA OPEN SPACE EASEMENT ACT OF 1974, AND BOARD OF SUPERVISORS RESOLUTION NO.23739 (ORIGINAL WILLIAMSON ACT CONTRACT RESOLUTION; RECORDED 1967), FOR THE SUBJECT PROPERTY FOR A SELF-RENEWING TERM OF 10-YEARS**

---

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

**WHEREAS**, on December 13, 2005, the County entered into a Land Conservation Contract covering certain land described therein (the "Property") which contract was recorded in the Official Records of the County of San Mateo on December 13, 2005 as Document No. 067704; and

**WHEREAS**, on October 1, 2021, the current owners of the Property submitted a lot line adjustment application which would affect the boundaries of the existing contract; and

**WHEREAS**, pursuant to Government Code section 51257, the current owners of the Property, Peninsula Open Space Trust, has made application to simultaneously rescind the Land Conservation Contract and enter into a Grant of Open Space Easement; and

**WHEREAS**, the proposed Grant of Opens Space Easement would benefit the County in that (1) it would secure enforceable open space restrictions on the Property for a minimum period of 10 years, and (2) it would preserve the rural character of the area in which the land is located; and

**WHEREAS**, the Board has reviewed the proposed Grant of Open Space Easement and desires to enter into the same; and

**NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that the President of the Board is hereby authorized and directed to execute the Agreement Rescinding the Land Conservation Contract and the Grant of Open Space Easement as presented, and the Clerk of the Board shall attest to his signatures thereto.

**IT IS FURTHER DETERMINED AND ORDERED** that County staff shall take all appropriate action to ensure recordation of the California Open Space Easement.

\* \* \* \* \*

DRAFT

**RESOLUTION NO. \_\_\_\_\_**

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

\* \* \* \* \*

**RESOLUTION AUTHORIZING THE RESCISSION OF A CALIFORNIA LAND CONSERVATION CONTRACT (WILLIAMSON ACT) AND SIMULTANEOUS EXECUTION OF A GRANT OF OPEN SPACE EASEMENT, CONSISTENT WITH THE CALIFORNIA LAND CONSERVATION ACT OF 1965, THE CALIFORNIA OPEN SPACE EASEMENT ACT OF 1974, AND BOARD OF SUPERVISORS RESOLUTION NO.23739 (ORIGINAL WILLIAMSON ACT CONTRACT RESOLUTION; RECORDED 1967), FOR THE SUBJECT PROPERTY FOR A SELF-RENEWING TERM OF 20-YEARS**

---

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

**WHEREAS**, on December 13, 2005, the County entered into a Land Conservation Contract covering certain land described therein (the "Property") which contract was recorded in the Official Records of the County of San Mateo on December 13, 2005 as Document No. 067704; and

**WHEREAS**, on October 1, 2021, the current owners of the Property submitted a lot line adjustment application which would affect the boundaries of the existing contract; and

**WHEREAS**, pursuant to Government Code section 51257, the current owners of the Property, Peninsula Open Space Trust, has made application to simultaneously rescind the Land Conservation Contract and enter into a Grant of Open Space Easement; and

**WHEREAS**, the proposed Grant of Opens Space Easement would benefit the County in that (1) it would secure enforceable open space restrictions on the Property for a minimum period of 20 years, and (2) it would preserve the rural character of the area in which the land is located; and

**WHEREAS**, the Board has reviewed the proposed Grant of Open Space Easement and desires to enter into the same; and

**NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that the President of the Board is hereby authorized and directed to execute the Agreement Rescinding the Land Conservation Contract and the Grant of Open Space Easement as presented, and the Clerk of the Board shall attest to his signatures thereto.

**IT IS FURTHER DETERMINED AND ORDERED** that County staff shall take all appropriate action to ensure recordation of the California Open Space Easement.

\* \* \* \* \*



**RESOLUTION NO. \_\_\_\_\_**

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

**\* \* \* \* \***

**RESOLUTION AUTHORIZING THE RESCISSION AND SIMULTANEOUS REPLACEMENT OF A FARMLAND SECURITY ZONE CONTRACT, CONSISTENT WITH THE CALIFORNIA LAND CONSERVATION ACT OF 1965, THE CALIFORNIA OPEN SPACE EASEMENT ACT OF 1974, AND BOARD OF SUPERVISORS RESOLUTION NO.23739 (ORIGINAL WILLIAMSON ACT CONTRACT RESOLUTION; RECORDED 1967), FOR THE SUBJECT PROPERTY FOR A SELF-RENEWING TERM OF 20-YEARS**

---

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

**WHEREAS**, on December 13, 2005, the County entered into a Land Conservation Contract covering certain land described therein (the "Property") which contract was recorded in the Official Records of the County of San Mateo on December 13, 2005 as Document No. 067704; and

**WHEREAS**, on October 1, 2021, the current owners of the Property submitted a lot line adjustment application which would affect the boundaries of the existing contract; and

**WHEREAS**, the subject property is located in an Agricultural Preserve which has been established by the COUNTY and a map of which is on file with the Recorder of San Mateo County; and

**WHEREAS**, the OWNER and the COUNTY desire to limit the use of the subject proposed property to agricultural uses and compatible uses to preserve the limited supply of agricultural land and to discourage the premature and unnecessary conversion of agricultural land to urban land uses; and

**WHEREAS**, the OWNER and the COUNTY recognize that agricultural land has definite public value as open space, that preservation of land in agricultural production will assure and adequate food supply and that such agricultural land constitutes an important social, aesthetic and economic asset to the people of the COUNTY and the State of California; and

**WHEREAS**, both the OWNER and the COUNTY intend that this contract is and shall continue to be, through its initial term and any extension thereof, an enforceable restriction within the meaning of Section 8 of Article XIII of the State Constitution, and that this Contract shall thereby qualify as an enforceable restriction under the provisions of the California Revenue and Taxation Code, Section 422.

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

1. AGREEMENT MADE PURSUANT TO CALIFORNIA LAND  
CONSERVATION ACT

This Contract is made and entered into pursuant to the California Land

Conservation Act of 1965 (Chapter 7 of Part 1 of Division 1 of Title 5 of the

California Government Code commencing with Section 51200), hereinafter referred to as the Act, and is subject to all provisions thereof.

2. CONSIDERATION

It is agreed that the consideration for the execution of this Contract is the substantial public benefit to be derived by the COUNTY from the preservation of land in agricultural or compatible uses, and the advantage which will accrue to the OWNER as a result of the effect on the method of determining the assessed value of the subject property, including any reduction thereto due to the imposition of limitations on its use set forth in this Contract. Neither the COUNTY nor the OWNER shall receive any payment in consideration of the obligations imposed herein.

3. SUCCESSORS IN INTEREST

This Contract shall run with the land described herein and shall be binding upon and insure to the benefit of all successors in the interest of the OWNER. This Contract shall also be binding upon and insure to the benefit of any succeeding city or county acquiring jurisdiction over all or any portion of the subject property, except as provided in Section 51234(b) of the Act in the case of certain annexations to cities.

4. DIVISION OF SUBJECT PROPERTY

In the event the subject property is divided, the OWNER or successors thereof, as the case may be, agree as a condition of such division to execute such contract or contracts as will restrict any parcels created by said division to the same extent as the subject property is restricted by the Contract at the time of division. The COUNTY shall, as a condition of approving the division of the subject property, require the execution of the contracts provided for in this paragraph. The OWNER of any parcel created by division of the subject property may exercise, independently of any other OWNER of a portion of the divided property, any of the rights of the OWNER executing this Contract, including the right to give notice of non-renewal as provided in Paragraph 8. The effect of any such action by an OWNER of a parcel created by a division of the subject property shall not be imputed to the owners of the remaining parcels and shall have no effect on the Contracts which apply to the remaining parcels of the divided land.

5. USE OF SUBJECT PROPERTY

During the term of this Contract, or any extensions thereof, the subject property shall not be used for any purpose other than the "Permitted Agricultural Uses" or "Compatible Uses" set forth in the Resolution establishing the boundaries and rules governing administration of the



Agricultural Preserve in which the subject property is located. The OWNER shall be limited to the uses specified in the aforementioned Resolution, except that if the ordinances, codes, or regulations of the COUNTY are more restrictive as to the use of said property than is the Resolution, the ordinances, codes or regulations shall prevail.

6. ADDITIONAL USES

The Board of Supervisors of the COUNTY may from time to time during the term of this Contract, or any extension thereof, by resolution revise the lists of "Permitted Agricultural Uses" or "Compatible Uses" for the Agricultural Preserve in which the subject property is located; provided that said Board shall not eliminate any such permitted agricultural or compatible use during the term of this Contract or any extension thereof without the written consent of the OWNER or his successors in interest.

7. TERM

This Contract shall be effective on the date first written above, hereinafter the anniversary date, and shall remain in effect for a period of ten (20) years therefrom. On each succeeding anniversary date, one (1) year shall automatically be added to the unexpired term unless notice of non-renewal is given as provided in Paragraph 8. If either party gives notice not to renew,

it is understood and agreed that this Contract shall remain in effect for the unexpired term.

8. NOTICE OF NON-RENEWAL

If either the OWNER or the COUNTY desires in any year not to renew this contract, that party shall serve written notice of non-renewal of the Contract upon the other party in advance of the anniversary date. Unless such written notice is served by the OWNER at least ninety (90) days prior to the anniversary date or by the COUNTY at least sixty (60) days prior to the anniversary date, the Contract shall be considered renewed as provided in Paragraph 7. Upon receipt by the OWNER of a notice from the COUNTY of non-renewal, the OWNER may protest the non-renewal, provided such protest is made in writing and is filed with the Clerk of the Board of Supervisors of the COUNTY not later than thirty (30) days after receipt of said notice of non-renewal. The COUNTY may withdraw the notice of nonrenewal at any time prior to the anniversary date. Upon request by the OWNER, the Board of the Supervisors of the COUNTY may authorize the OWNER to serve a notice of non-renewal on a portion of the subject property, provided that such notice is in accordance with the foregoing provisions of this paragraph.

9. ACTION IN EMINENT DOMAIN TO TAKE ALL OR PART OF THE

## SUBJECT PROPERTY

Upon the filing of an action in Eminent Domain by an agency or person specified in Section 51295 of the Government Code, for the condemnation of the fee title of all or a portion of the subject property or upon the acquisition of the fee in lieu of condemnation, this Contract shall be null and void as provided in said Section 51295.

### 10. ABANDONMENT OF ACTION IN EMINENT DOMAIN

In the event a condemnation suit is abandoned in whole or in part, or if funds are not provided to acquire the subject property in lieu of condemnation, the OWNER agrees to execute a new contract for all of the subject property to have been taken or acquired, which contract shall be identical to the Contract in effect at the time the suit was filed or on the date the land was to have been acquired, provided that: (1) a notice for non-renewal was not given by either party prior to the filing of suit or date the property was to have been acquired, and (2) the property at the time of said execution of a new Contract is within the boundaries of an Agricultural Preserve.

### 11. REMOVAL OF SUBJECT PROPERTY FROM AGRICULTURAL PRESERVE

In the event any proposal to disestablish or to alter the boundary of an

Agricultural Preserve will remove the subject property from such a Preserve, the Board of Supervisors of the COUNTY shall furnish such notice of the proposed alteration or disestablishment to the OWNER as required by Section 51232 of the Act. Removal of any of the property from the Agricultural Preserve in which the subject property is located shall be the equivalent of notice of non-renewal, as provided in Paragraph 8, at least sixty (60) days prior to the anniversary date following the removal. The COUNTY shall record the notice of non-renewal in the office of the Recorder of the COUNTY, as required by Paragraph 13 herein; however, the OWNER agrees that a failure of the COUNTY to record said notice of non-renewal shall not invalidate or in any manner affect said notice.

12. INFORMATION TO COUNTY

The OWNER shall furnish the COUNTY with such information as the COUNTY may require in order to enable it to determine the value of the subject property for assessment purposes and the eligibility of the subject property under the provisions of the Act.

13. RECORDING OF DOCUMENTS

In the event of the termination of this Contract with respect to any part of the



subject property, the COUNTY shall record the documents evidencing such termination with the Recorder of the COUNTY.

14. ENFORCEMENT OF CONTRACT

Any conveyance, contract, or authorization (whether written or oral) by the OWNER, or his 'successors in interest, which would permit use of the subject property contrary to the terms of this Contract or the rules of the Agricultural Preserve in which the subject property is located, will be deemed a breach of this Contract. The COUNTY may bring any action in court necessary to enforce this Contract including but not limited to an action to enforce the Contract by specific performance or injunction. It is understood and agreed that the enforcement proceedings provided in this Paragraph are not exclusive and that both the OWNER and the COUNTY may pursue their legal and equitable remedies.

15. CANCELLATION

This Contract may not be cancelled before completion of its term. The Board of Supervisors has found in its Resolution No. 65067 that cancellation of Farmland Security Zone Contracts is not in the best public interest of the County's citizens. However, the COUNTY or the OWNER has the right to file a notice of non-renewal under Government Code Section 51245 and as

provided in Paragraph 8 of this Contract.

**NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that the President of the Board is hereby authorized and directed to execute the Agreement Rescinding the Farmland Security Zone Contract and the Grant of Farmland Security Zone Contract as presented, and the Clerk of the Board shall attest to his signatures thereto.

**IT IS FURTHER DETERMINED AND ORDERED** that County staff shall take all appropriate action to ensure recordation of the Farmland Security Zone Contract.

\* \* \* \* \*

**Attachment K**  
**DRAFT**  
**CALIFORNIA LAND CONSERVATION CONTRACT**  
**No. \_\_\_\_\_**

\*\*\*\*\*

**FARMLAND SECURITY ZONE CONTRACT AVAILABLE FOR PARCELS OF AT LEAST ONE HUNDRED  
(100) ACRES WITH CERTAIN EXCEPTIONS PROVIDING FOR A MINIMUM CONTRACT TERM OF  
TWENTY (20) YEARS AND ALLOWING NON-RENEWAL OF THE CONTRACT BUT NOT ITS  
IMMEDIATE CANCELLATION**

---

**THIS CALIFORNIA LAND CONSERVATION CONTRACT**, made and entered into this \_\_ day of \_\_\_\_, 2021, by and between the COUNTY OF SAN MATEO, a political subdivision of the State of California, hereinafter referred to as “COUNTY” and Peninsula Open Space Trust or successors thereof, hereinafter referred to as “OWNER”;

**WHEREAS**, the OWNER is the legal owner of certain real property herein referred to as the subject property situated in the County of San Mateo, State of California; and

**WHEREAS**, the subject property is described in EXHIBIT “\_\_” which is made a part of this Contract; and

**WHEREAS**, the subject property is located in an Agricultural Preserve which has heretofore been established by the COUNTY and a map of which is on file with the Recorder of San Mateo County; and

**WHEREAS**, the OWNER and COUNTY desire to limit the use of the subject property to agricultural uses and compatible uses to preserve the limited supply of agricultural land and to discourage the premature and unnecessary conversion of agricultural land to urban uses; and

**WHEREAS**, the OWNER and the COUNTY recognize that agricultural land has definite public value as open space, that preservation of land in agricultural production will assure an adequate food supply and that such agricultural land constitutes important social, aesthetic, and economic assets to the people of the County and the State of California; and

**WHEREAS**, both the OWNER and the COUNTY intend that this Contract is and shall continue to be, through its initial term and any extension thereof, an enforceable restriction within the meaning of Section 8 of Article XIII of the State Constitution and that this Contract shall thereby qualify as an enforceable restriction under the provisions of the California Revenue and Taxation Code, Section 422.

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

1. AGREEMENT MADE PURSUANT TO CALIFORNIA LAND CONSERVATION ACT

This Contract is made and entered into pursuant to the California Land Conservation Act of 1965 (Chapter 7 of Part 1 of Division 1 of Title 5 of the California Government Code commencing with Section 51200), hereinafter referred to as the Act, and is subject to all provisions thereof.

2. CONSIDERATION

It is agreed that the consideration for the execution of this Contract is the substantial public benefit to be derived by the COUNTY from the preservation of land in agricultural or compatible uses, and the advantage which will accrue to the OWNER as a result of the effect on the method of determining the assessed value of the subject property, including any reduction thereto due to the imposition of limitations on its use set forth in this Contract. Neither the COUNTY nor the OWNER shall receive any payment in consideration of the obligations imposed herein.

3. SUCCESSORS IN INTEREST

This Contract shall run with the land described herein and shall be binding upon and insure to the benefit of all successors in the interest of the OWNER. This Contract shall also be binding upon and insure to the benefit of any succeeding city or county acquiring jurisdiction over all or any portion of the subject property, except as provided in Section 51234(b) of the Act in the case of certain annexations to cities.

4. DIVISION OF SUBJECT PROPERTY

In the event the subject property is divided, the OWNER or successors thereof, as the case may be, agree as a condition of such division to execute such contract or contracts as will restrict any parcels created by said division to the same extent as the subject property is restricted by the Contract at the time of division. The COUNTY shall, as a condition of approving the division of the subject property, require the execution of the contracts provided for in this paragraph.

The OWNER of any parcel created by division of the subject property may exercise, independently of any other OWNER of a portion of the divided property, any of the rights of the OWNER executing this Contract, including the right to give notice of non-renewal as provided in Paragraph 8. The effect of any such action by an OWNER of a parcel created by



a division the subject property shall not be imputed to the owners of the remaining parcels and shall have no effect on the Contracts which apply to the remaining parcels of the divided land.

5. USE OF SUBJECT PROPERTY

During the term of the Contract, or any extensions thereof, the subject property shall not be used for any purpose other than the “Permitted Agricultural Uses” or “Compatible Uses” set forth in the Resolution establishing the boundaries and rules governing administration of the Agricultural Preserve in which the subject property is located. The OWNER shall be limited to the uses specified in the aforementioned Resolution, except that if the ordinance, codes, or regulations of the COUNTY are more restrictive as to the use of said property than is the Resolution, the ordinances, codes or regulations shall prevail.

6. ADDITIONAL USES

The Board of Supervisors of the COUNTY may from time to time during the term of this Contract, or any extensions thereof, by resolution revise the lists of “Permitted Agricultural Uses” or “Compatible Uses” for the Agricultural Preserve in which the subject property is located; provided that said Board shall not eliminate any such permitted agricultural or compatible use during the term of the Contract or any extensions thereof without the written consent of the OWNER or successors in interest.

7. TERM

This Contract shall be effective on the date first written above, hereinafter the anniversary date, and shall remain in effect for a period of twenty (20) years therefrom. On each succeeding anniversary date, one (1) year shall automatically be added to the unexpired term unless notice of non-renewal is given as proved in Paragraph 8. If either party gives notice not to renew, it is understood and agreed that this Contract shall remain in effect for the unexpired term.

8. NOTICE OF NON-RENEWAL

If either the OWNER or the COUNTY desires in any year not to renew this Contract, that party shall serve written notice of non-renewal of the Contract upon the other party in advance of the anniversary date. Unless such written notice is served by the OWNER at least ninety (90) days prior to the anniversary date or by the COUNTY at least (60) days prior to the anniversary date, the Contract shall be considered renewed as provided in Paragraph 7. Upon receipt by the OWNER of a notice from the COUNTY of non-renewal, the OWNER may protest the non-renewal, provided such protest is made in writing and is filed with the Clerk of the Board of Supervisors of the COUNTY not later than thirty (30) days after receipt of said notice of non-renewal. The COUNTY may withdraw the notice of non-renewal at any

time prior to the anniversary date. Upon request by the OWNER, the Board of Supervisors of the COUNTY may authorize the OWNER to serve a notice of non-renewal on a portion of the subject property, provided that such notice is in accordance with the forgoing provisions of this paragraph.

9. ACTION IN EMINENT DOMAIN TO TAKE ALL OR PART OF THE SUBJECT PROPERTY

Upon the filing of an action in eminent Domain by an agency or person specified in Section 51295 of the Government code, for the condemnation of the fee title of all or a portion of the subject property or upon the acquisition of the fee in lieu of condemnation, this Contract shall be null and void as provided in said Section 51295.

10. ABANDONMENT OF ACTION IN EMINENT DOMAIN

In the event a condemnation suit is abandoned in whole or in part, or if funds are not provided to acquire the subject property in lieu of condemnation, the OWNER agrees to execute a new contract for all of the subject property to have been taken or acquired, which contract shall be identical to the Contract in effect at the time the suit was filed or on the date the land was to have been acquired, provided that: (1) a notice for non-renewal was not given by either party prior to the filing of the suit or date the property was to have been acquired, and (2) the property at the time of said execution of a new Contract is within the boundaries of an Agricultural Preserve.

11. REMOVAL OF SUBJECT PROPERTY FROM AGRICULTURAL PRESERVE

In the event any proposal to disestablish or to alter the boundary of an Agricultural Preserve will remove the subject property from such a Preserve, the Board of Supervisors of the COUNTY shall furnish such notice of the proposed alteration or disestablishment to the OWNER as required by Section 51232 of the Act. Removal of any of the property from the Agricultural Preserve in which the subject property is located shall be the equivalent of notice of non-renewal, as provided in Paragraph 8, at least sixty (60) days prior to the anniversary date following the removal. The COUNTY shall record the notice of non-renewal in the office of the Recorder of the COUNTY, as required by Paragraph 13 herein; however, the OWNER agrees that failure of the COUNTY to record said notice of non-renewal shall not invalidate or in any manner affect said notice.

12. INFORMATION TO COUNTY

The OWNER shall furnish the COUNTY with such information as the COUNTY may require in order to enable it to determine the value of the subject property for assessment purposes and the eligibility of the subject property under the provisions of the Act.

13. RECORDING OF DOCUMENTS

In the event of the termination of the Contract with respect to any part of the subject property, the COUNTY shall record the documents evidencing such termination with the Recorder of the COUNTY.

14. ENFORCEMENT OF CONTRACT

Any conveyance, contract, or authorization (whether written or oral) by the OWNER, or successors in interest, which would permit use of the subject property contrary to the terms of the Contract or the rules of the Agricultural Preserve in which the subject property is located, will be deemed a breach of this Contract. The COUNTY may bring any action in court necessary to enforce this Contract including but not limited to an action to enforce the Contract by specific performance or injunction. It is understood and agreed that the enforcement proceedings provided in this Paragraph are not exclusive and that both the OWNER and the COUNTY may pursue their legal and equitable remedies.

15. CANCELLATION

This Contract may not be cancelled before completion of its term. The Board of Supervisors has found in its Resolution No. 65067 that cancellation of Farmland Security Zone Contracts is not in the best public interest of the County's citizens. However, the COUNTY or the OWNER has the right to file a notice of non-renewal under Government Code Section 51245 and as provided in Paragraph 8 of the Contract.

**IN WITNESS WHEREOF**, the parties hereto have executed the Contract on the day and year first written above.

\_\_\_\_\_  
Peninsula Open Space Trust  
"Owner"  
Walter T. Moore

COUNTY OF SAN MATEO

By \_\_\_\_\_  
President, Board of Supervisors  
"County"

Johnston Ranch – Land Division Application: Lot Line Adjustment  
Johnston Ranch – Cycle 1 – Attachment K: Draft 20-yr. FSZ Contract  
September 30, 2021

ATTEST:

---

Clerk of Said Board of Supervisors

(NOTARIAL ACKNOWLEDGMENT)

\*\*\*\*\*



**Attachment L**  
**Johnston Ranch**  
**Statement of Agricultural Uses**

Uniform Rule 3 of the San Mateo County Williamson Act (WA) Guidelines requires a Statement of Agricultural Uses (Statement) to be submitted when entering into a new WA contract or rescinding and replacing/exchanging existing contracts. The Statement must include: the total gross acreage of each parcel and aggregate acreage for multiple parcels, if applicable; the total acreage currently in agricultural production by each crop type; and grazing operation by heads of livestock and area grazed. The water source and irrigation method should also be noted, and compatible uses should be addressed. In addition, gross agricultural income documentation should be submitted documenting compliance with income requirements stated in Uniform Rule 2 of the WA Guidelines.

Tables 1.a and 1.b below show the acreage requirements for the existing Land Conservation Act (LCA) and Farmland Security Zone (FSZ) contracts and whether the income thresholds have been met in the last five years. Table 2.a and 2.b below show the anticipated acreage information for the proposed replacement FSZ contract and two Open Space Easements (OSEs) and whether the income levels for the new FSZ contract are expected to be met.

The required water sources, storage and conveyance structures, and conveyance method for the existing contracts and proposed contract and OSEs are shown in Attachment G, Maps 6 and 6A, of the Land Division Supplemental Statement. Two dams in Arroyo Leon were historically closed to form seasonal in-stream reservoirs for agricultural use. The California Department of Fish and Wildlife eventually decommissioned the dams and required that they remain open for steelhead trout passage, following its listing as a threatened species in 1997. As a result, the irrigation capacity of the farm was substantially reduced. In addition, that state-mandated project required movement of the primary point of diversion, added new conditions related to water use, reduced the amount of water available for agricultural operation, and resulted in a proportional reduction in the amount of cultivated acreage. The water source to support the existing grazing operation relies upon containment of output from an upland spring and adjacent hillside runoff to two small stock ponds north of Higgins Canyon Road.

There is an existing barn yard with a corral and barn on existing parcel 2, Assessor's Parcel Number (APN) 064-370-070. This barn yard and associated structures qualifies as a "per se" compatible use because it is "a facility or structure used in conjunction with the production, preparation, and storage of an agricultural commodity, commercial grazing, or commercial horse breeding." The barn is 3,600 square feet in size and is used in conjunction with the grazing operation on the existing parcel and the adjacent parcel to the east and will continue to be used in this manner as part of reconfigured parcel 2. The barn and its associated 5,700 square foot driveway total approximately 9,300 square feet of compatible use on what will become a 434-acre parcel. There is also existing deer fencing around some of the agricultural

parcels along Highway 1 and Higgins Canyon Road, and perimeter fencing on the grazed parcels. There are no other structures on the existing eight parcels of Johnston Ranch and no structures of any type are proposed as part of the application to rescind and replace/exchange the existing WA contracts.

Existing and proposed income information is shown in a separate confidential document for San Mateo County staff review.

**TABLE 1.a – Existing Land Conservation Act (LCA) Contract**

<b>Parcel ID # APN Total Acres</b>	<b>Acreage in Crop Production</b>	<b>Minimum Income Levels Met 2016 – 2020 (Yes/No)</b>	<b>Acreage and Percent of Parcel in Grazing</b>	<b>Proposed for Replacement with FSZ Contract or OSE*</b>
Parcel #4 065-210-220 (161 acres)	63 Total  18 – irrigated Brussels sprouts 33 - dry farmed hay (continuously over past five years)	Yes	None	FSZ – west side  OSE – east side
Parcel #3  065-210-240 (184 acres)	25 Total  12 – Fava beans 11 – Brussels sprouts 2 – English peas	Yes – 2016 & 2020  No – 2017, 2018, 2019	None	FSZ – west side  OSE – east side
Parcel #110/120 064-370-110 and 064-370-120 (210)	3 – dry farming (continuously over past five years)	Not as single parcel  Yes, b/c part of LCA contract	94 ac – grazing (45%)** Cow/Calf operation: 30-50 head (does not meet acreage threshold)	Existing Contract to be Non-renewed

\*OSE = Open Space Easement    \*\*WA Guidelines require 75%

Table 1.a above shows that two of the three parcels currently under the existing LCA contract have been able to meet income thresholds required by the WA Guidelines but have only been able to do so because the western portions of both parcels are productive. This productivity varies with each year depending upon how many acres are fallow at any given time. The Table also shows that the WA land utilization requirement for grazing has not been met on the one parcel where grazing occurs (APN 064-370-110/120). Reasons for not meeting the income threshold include: (1) lack of water since in-stream reservoirs were decommissioned by the State of California mandated project, (2) that the split between existing LCA and FSZ contract areas does not align with logical patterns of use by the farm operator who has focused on maximizing productivity in the FSZ contract area, and (3) heavy deer browsing that was addressed through fencing installation in 2017-2019). The lot line adjustment application will help future farm operators meet the income requirements by aligning parcel boundaries with logical patterns of use and securing the water source.

**TABLE 1.b – Existing Farmland Security Zone (FSZ) Contract**

<b>Parcel ID # APN (Total Acres)</b>	<b>Approximate Acreage in Crop Production</b>	<b>Minimum Income Levels Met 2016 - 2020 (Yes/No)</b>	<b>Approximate Acreage and Percent of parcel in grazing</b>	<b>Proposed for replacement with FSZ Contract or OSE*</b>
Parcel # 1 064-370-200 (49 acres)	42 – Brussels sprouts (continuously over past five years)	Yes	None	FSZ
Parcel #090 065-210-090 (14 acres)	14 Total  14 – Brussels sprouts (2016)  0 – 2017, 18, 19  10 – Brussels sprouts (2020) 4 – English peas (2020)	Yes – 2016 & 2020  No – 2017, 2018, 2019	None	FSZ
Parcel #s 2, A, B 064-370-070 CoC #s 106396 and 106397 (250 acres)	66 – Total  40 – Brussel sprouts (varies from year to year) 4 – dry farmed hay (continuously over past five years)	Yes	160 acres – grazing (64%)** Cow/Calf operation: 30-50 head (does not meet minimum threshold)	FSZ – southwestern portion  OSE – northern and eastern portions

\*OSE = Open Space Easement \*\*WA Guidelines require 75%

Table 1.b above shows that when combined, all five parcels currently under the existing FSZ contract are meeting the income thresholds for the contract, but this is primarily due to the productivity on parcel #s 1 and 090, and the southwestern portion of parcel #2. The northern and eastern portions of parcel #2 are used for grazing but don't meet the acreage threshold for grazing operations and do not contribute to helping meet the required income thresholds.

### Proposed Adjustments

Given the fact that some of the parcels included in current LCA and FSZ contracts are not meeting minimum thresholds for income or land utilization as required by the WA Guidelines, and as shown in the Tables above, POST and MROSD propose to rescind the two existing contracts and replace them with one FSZ contract and two OSEs as shown in Tables 2.a and 2.b below. The FSZ replacement contract, and two OSEs are proposed to better plan for and

preserve productive farm land, grazing operations, open space, and planned public recreational uses as explained in detail in the Supplemental Statement.

Parcel 3 (comprised of APNs 064-370-110 & 120), the only parcel currently covered by a LSA contract that is not meeting income thresholds or acreage requirements for grazing, will have its contract non-renewed but will remain in grazing use for the remaining nine years of the existing contract and will be further protected by a long-term lease and Rangeland Management Plan.

**Table 2.a – Proposed Farmland Security Zone (FSZ) Contract**

<b>Parcel ID #</b>	<b>Approximate Acreage in Crop Production (will vary from year to year)</b>	<b>Minimum Income Levels Expected to be Met (Yes/No)</b>	<b>Approximate Acreage and Percent of Parcel in Grazing</b>	<b>Proposed FSZ Contract</b>
1	84	Yes	None	Yes
090	14	Yes	None	Yes
4	110	Yes	None	Yes
3	2	Yes	None	Yes

**Table 2.b – Proposed Open Space Easements**

<b>Parcel ID #</b>	<b>Approx. Acreage in Crop Production</b>	<b>Minimum Income Levels Met (Yes/No/NA)</b>	<b>Approx. Acreage and Percent of Parcel in Grazing</b>	<b>Open Space Easement - Duration</b>
2 North of Higgins Canyon Road	Not Applicable	Not Applicable	Not Applicable (160 acres/78% Cow/Calf operation: 20 to 40 head to be maintained)	OSE – 20 yrs.
2 South of Higgins Canyon Road	Not Applicable	Not Applicable	Not Applicable (Potential retained for reintroduction of grazing)	OSE – 10 yrs.

Modifications to the Williamson Act contracts and partial replacement with two OSEs are consistent with the Williamson Act and would ensure protection of existing agriculture, grazing operations, open space and planned public recreational use as explained in detail in the Supplemental Statement.



**Attachment M**  
Johnston Ranch  
Citation Sheet for Planned Public Recreational Uses

- A) Midpeninsula Regional Open Space District – 2014 Vision Plan  
(<https://www.openspace.org/our-work/projects/vision-plan>)
- B) San Mateo County – 2001 Trails Master Plan  
(<https://parks.smcgov.org/documents/trails-master-plan>)
- C) San Mateo County – 2011 Comprehensive Bicycle and Pedestrian Plan  
([https://ccag.ca.gov/wp-content/uploads/2014/07/CBPP\\_Main-Report\\_Sept2011\\_FINAL.pdf](https://ccag.ca.gov/wp-content/uploads/2014/07/CBPP_Main-Report_Sept2011_FINAL.pdf))
- D) City of Half Moon Bay – 2019 Parks Master Plan  
(<https://www.half-moon-bay.ca.us/620/Parks-Master-Plan-609#:~:text=Project%20Description%3A%20The%20Parks%20Master,over%20the%20next%2015%20years>)
- E) City of Half Moon Bay – Intersection Improvements at Intersection of Highway 1/Main Street/Higgins Canyon Road  
([https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/464186/STAFF\\_REPORT.pdf](https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/464186/STAFF_REPORT.pdf))
- F) Bay to Sea Trail – Planning effort led by POST (No published plan currently available) in which all eleven of the participating partners have signed a letter of intent expressing mutual commitment to collaborating on this long-term project  
(<https://openspacetrust.org/blog/bay-to-sea-trail/>)

**Attachment N**  
Johnston Ranch  
Draft OSE Terms Sheet

The following list characterizes terms proposed for Open Space Easements (OSEs) on reconfigured parcel 2 for the purposes of informing the Johnston Ranch land division application. This list is not comprehensive, final, or binding. Midpeninsula Regional Open Space District (MROSD) will provide complete draft open space easements for the parcel to County Counsel.

1. The OSEs will be entered into pursuant to the Open-Space Easement Act of 1974, California Government Code § 51070 et seq. (the "Act").
2. Purposes of the OSEs will be to preserve the natural and scenic open space value and character for public benefit, including the continued grazing operation on the northern portion of parcel 2 and the potential reintroduction of grazing on the southern portion of the parcel, and the enhancement of future public recreational uses on the entire parcel, and to prevent any use of the subject property that will significantly impair or interfere with its open space value.
3. The subject area for the 20-year OSE will be the portion of the subject parcel located north of Higgins Canyon Road and the subject area for the 10-year OSE will be the portion of the subject parcel located south of Higgins Canyon Road. Duration of the OSEs will be twenty (20) years for the northern portion of parcel 2 and ten (10) years for the southern portion of the parcel. Effective date and annual renewal to follow standards set forth in the Act.
4. "Development Areas" will be defined within each OSE as the principal locations for residential development and use, which will be located within each subject property at the time of proposed development subject to County review and approval in accordance with applicable zoning, planning and building ordinances and regulations. Exceptions to be allowed with an approved Coastal Development Permit.
5. "Development," as defined within each OSE, will include erecting or placing structures or objects on the land, grading, or otherwise altering the land for non-agricultural purposes, but will not include agricultural uses or use of the land in its natural state for activities such as hiking, bicycling, riding horses, nature observation, and public enjoyment of scenic open space.
6. Reserved rights will include the following, subject to applicable zoning, planning, and building ordinances, regulations, and approvals:
  - a. Agricultural uses, related improvements, and compatible commercial uses as defined and permitted by the Williamson Act.

- b. Use of water rights and to obtain water supplies from any source permitted by law, and to construct, use, maintain, repair, and replace water infrastructure such as reservoirs/ponds, drainage ways, culverts, pipes, and pumps.
  - c. To construct, repair, and maintain utility systems, including water, sewer, power, fuel, communication lines, and related facilities for the permitted uses.
  - d. To construct, repair, and maintain new roads and parking areas for the permitted uses.
  - e. To place or construct facilities for the development and utilization of energy resources, including, without limitation, solar and wind, for use principally on the subject property.
  - f. Use and operation for public open space and recreational purposes, including, but not limited to, natural resource management activities, environmental education, occasional special events, low-intensity public trail uses, and property management and enforcement activities.
  - g. To plan, design, and construct recreational trails, trail staging areas, and parking areas to create opportunities for low-intensity public use of the Property.
  - h. To install gates and appropriate signage and fencing.
  - i. To take reasonable measures necessary and appropriate for fire safety and erosion control as approved by the County of San Mateo Fire Marshal.
  - j. To manage exotic non-native invasive vegetation and restore managed areas with native vegetation.
  - k. To improve riparian habitat and in-stream hydrological function, including but not limited to installation of logs, boulders, and other materials to improve fish habitat complexity and quality, installation of stream gauges, as well as removal of decommissioned or abandoned impoundment structures.
  - l. Residential and accessory use of and access to the Development Areas.
7. Other terms to follow standard County OSE provisions for land division restriction, property maintenance, County's right to audit and inspect with entry upon advanced written notice, notice of nonrenewal, abandonment, binding nature of the agreement, condemnation, enforcement references to tax statutes, notices, indemnity, voluntary execution, and warranty of owner's authority to sign in agreement.



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

**ATTACHMENT F**