

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

DATE: October 18, 2018

TO: Zoning Hearing Officer

FROM: Code Compliance and Planning Staff

SUBJECT: Consideration of an appeal of Administrative Citation #2017-00320-001, issued May 3, 2018, pursuant to Chapter 1.40 of the San Mateo County Ordinance Code for:

1. Development at the Purissima Cemetery, including, but not limited to: erection of solid materials or structures, change in the intensity of use of land, and the removal or harvesting of major vegetation other than for agricultural purposes, without a Coastal Development Permit, in violation of Section 6328.4 of the San Mateo County Zoning Regulations.
2. Use of the Purissima Cemetery, including, but not limited to: enlargement of a non-conforming use, structure or situation, without a Use Permit, in violation of Sections 6132.4 and 6134.5 of the San Mateo County Zoning Regulations.

Citation #1: 2017-00320-001, issued May 3, 2018

County File No.: VIO 2017-00320

APPEAL/APPELLANT

The current operator of Purissima Cemetery is Edward Bixby II, dba "Steelmantown Cemetery and Purissima Natural Burial Grounds." His attorney, Steven R. Roeser, submitted an appeal on May 17, 2018, requesting a hearing. Mr. Bixby paid the \$100 fine on July 17, 2018, which satisfied that appeal requirement and allowed the hearing to be scheduled.

In the appeal, Mr. Roeser wrote: "My client asserts that none of these permits are required." He argued that the land in question has been used and operated as a cemetery since 1868; it has never been abandoned; "its use has been 'grandfathered' into any current permit requirements;" and the activities conducted by Mr. Bixby on the property do "not constitute 'Development' or a 'Project' under San Mateo County Zoning Regulation Sections 6323.3(h) or (r), respectively."

Mr. Roeser's appeal concludes with the statement that "our client contests the fact that a violation existed before, on or after May 3, 2018, as alleged in the above-referenced citation, and therefore asserts and respectfully requests that no penalties or other remedies should be imposed, and the violation withdrawn." (See Attachment G for the complete letter of appeal and Attachment I for a follow-up letter from Mr. Roeser.)

PROPERTY INFORMATION

Report Prepared By: Tim Sullivan, Code Compliance Officer, 650/599-5901

Appellant: Edward Bixby II

Owner: Undetermined

Responsible Party: Appellant Edward Bixby II self-identifies as owner via Adverse Possession. San Mateo County Assessor's Office lists the owner as "Purissima Cemetery, 327 Marshallville Road, Woodbine, NJ 08270," which is Mr. Bixby's mailing address.

Violation Address: Purissima Cemetery, on Verde Road, North San Gregorio. (Mr. Bixby's website identifies the location as 1165 Verde Road, Half Moon Bay, CA 94019.)

APN: 066-180-060 (Attachment A: Vicinity Map)

Size: 5 acres

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

General Plan Land Use Designation: Rural/Agriculture

Existing Use: Cemetery

Sphere-of-Influence: N/A

Water Supply/Sewage Disposal: N/A

Flood Zone: The property is in Zone X, Area of Minimal Flooding; however, Purissima Creek flows just beyond the parcel's southern boundary, at a lower grade.

Setting: The property is 5 acres and is mostly flat, with the south side gently sloping toward the Purissima Creek drainage. It features natural vegetation of coastal scrub brush, poison oak, evergreens and Monterey Cypress. Development on the property includes its establishment as a rural cemetery since about 1868. The property is bordered by Verde/Purissima Creek Road on the north, an open field with scrub brush on the east, the Purissima Creek drainage on the south, and the site of the former Purissima

town site on its western boundary. Land uses on surrounding properties include agricultural uses on the south and east, undeveloped open space land on the north (owned by the Community College District) and west (the abandoned Purissima town site, now owned by the Coastside Land Trust), and contain parcels with single-family homes.

BACKGROUND

The property in question is a 5-acre parcel historically known as “Purissima Cemetery,” located about 4 miles south of downtown Half Moon Bay, in unincorporated San Mateo County. It was founded and used as a burial ground in the mid-to-late 19th Century to serve the coastal town of Purissima. The town, however, was abandoned and ceased to exist by the early 20th Century.

A group of family and friends concerned for those buried in the cemetery formed the Purissima Cemetery Association (“Association”) at an unknown date to maintain the grounds and manage subsequent burials. Burials dropped off significantly after the turn of the 20th Century, however, with only an average of one burial per decade between the 1910s and the 1970s. Prior to the activities that are the subject of this action, only one burial is confirmed to have taken place since the 1970s – the interment of an eighty-year-old woman in an apparently preexisting family plot, which occurred in 2001.

A tax dispute with the State of California in the 1960s caused the Association to lose their right to the property. In the decades since the tax decision, the grounds became choked with an overgrowth of poison oak and other shrubbery, making the use of the property as a burial ground or even a place to visit ancestors impractical. The land was neglected and became a source of disturbance and graffiti complaints reported to the Sheriff’s Office.

In 2017, while ownership of the land was still in question, Edward Bixby II, a New Jersey resident who owns a business marketing “Green Burials,” took steps to acquire the property for natural burials – burials where bodies have not undergone formaldehyde preservation or use solid wood/metal caskets and vaults. Instead, green burials use wicker caskets, or mere shrouds over bodies, and no vaults, to allow for natural decomposition in the ground.

Mr. Bixby filed a *Notice of Claim of Possession (Adverse Possession)* for Purissima Cemetery, with the San Mateo County Recorder’s Office on July 31, 2017 (Attachment B). He paid back taxes and began developing the property, including erecting wood ramps over a drainage ditch to access the site; undertaking significant land clearing, including cutting back natural habitat up to the top of the bank drop off for Purissima Creek; construction of a wooden maintenance shed and addition of a wooden bench; and posting of multiple signs advertising his business and asserting his ownership of the site – all done without the benefit of a Coastal Development Permit, as required by San Mateo County Zoning Regulations.

San Mateo County Planning staff became aware of Mr. Bixby's activities via a complaint in September 2017. Staff contacted Mr. Bixby and notified him, and his attorney at the time, that his actions on the property violated County Zoning Regulations. He was told to stop his development activities, resolve the ownership discrepancies for the parcel, and then, if he had a legal right to do so, apply for appropriate permits for his intended business venture. These permits included a Coastal Development Permit and a Use Permit.

Mr. Bixby did not apply for any of the required permits. He instead started performing natural burials at the site in or about February 2018. County Code Compliance staff responded by posting a Notice of Violation (Notice) on the property on March 29, 2018 (Attachment E). Mr. Bixby acknowledged the Notice, ignored it, and performed another burial on April 16, 2018. After that, staff posted Administrative Citation #2017-00320-001 on the property on May 3, 2018 (Attachment F). Undeterred, Mr. Bixby performed yet another burial on May 8, 2018, and then at least three more burials since that date.

Administrative Citation #2017-00320-001 lists the Code Sections Violated as "San Mateo County Zoning Regulations, Section 6328 et. seq.," and the Description of Violation as "Development without Necessary Permits (Coastal Development Permit, Planned Agricultural District Permit,¹ and Use Permit)."

On July 17, 2018, Mr. Bixby paid the \$100 fine for the administrative citation, thus allowing this appeal to be heard.

On September 13, 2018, staff posted a Second Administrative Citation, #2017-00320-002, on the property for "Continuing Violations of Development without Necessary Permits (Coastal Development Permit, Planned Agricultural Permit,² and Use Permit)."

Photos of the property and the violations observed during inspections are included in Attachment J.

KEY ISSUES

- The use of the parcel was founded as a cemetery in or around 1868, long before the establishment of zoning regulations in San Mateo County.
- The parcel has been included in the San Mateo County Coastal Zone since 1980, when its zoning classification was changed to Planned Agricultural District (PAD).
- Since the cemetery preexisted the development of the cited zoning laws, including the 1980 PAD zoning regulations which do not expressly allow for cemeteries, its

¹ Planning and Building staff later determined that a Planned Agricultural District (PAD) Permit was not required, thereby leaving Mr. Bixby obligated to obtain a Coastal Development Permit (CDP) and Use Permit to legalize his actions.

² See Footnote 1.

use was allowed to continue after 1980 as a “Non-Conforming (NC) Use,” pursuant to Chapter 4, Zoning Nonconformities.³

- However, Section 6328.4 of the San Mateo County Zoning Regulations⁴ states that a Coastal Development Permit is required for any subsequent development in the Coastal Zone.
- Section 6328.3(h) defines “Development” as:

“Development” means, on land ... the placement or erection of any solid material or structure; ... grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land ...; construction, reconstruction, demolition, or alteration of the size of any structure ...; and the removal or harvesting of major vegetation other than for agricultural purposes ...

- Starting in mid-2017, Mr. Bixby took action to develop and improve the cemetery without a Coastal Development Permit. He erected wood ramps over a drainage ditch to access the site; he constructed a wooden maintenance shed and installed a wooden bench; he removed major vegetation other than for agricultural purposes, including cutting back natural vegetation at the bank drop-off for Purisima Creek (a sensitive habitat); and he posted multiple signs advertising his business and asserting his ownership of the site.
- To date, Mr. Bixby has not applied for or obtained a Coastal Development Permit.
- Starting in or about February 2018, Mr. Bixby began performing burials at Purissima Cemetery. He posted advertisements for burials on his website and, to date, has conducted approximately six (6) new burials at the site.
- Mr. Bixby’s actions constitute an enlargement of the non-conforming use of the cemetery, which is prohibited by Section 6134(5). Enlargement is defined in Section 6132(4) as:

The state of a land use or structure after it has been expanded to cover more land area, consume more air space, or increase its intensity on the site.

- Section 6137 provides: “*The Planning Commission, at a public hearing, may grant a use permit to except any provision in this Chapter which restricts the continuation, enlargement, re-establishment or replacement of a non-conforming use, structure or situation.*” However, to date, Mr. Bixby has not obtained a Use Permit.

³ Relevant sections of the County Ordinances cited are included in Attachment L.

⁴ Unless otherwise provided, all future references will be to the San Mateo County Zoning Regulations.

- Therefore, in order for Mr. Bixby to come into compliance with the zoning and building codes to legalize his parcel improvements and allow new burials, he must be granted an exception of the enlargement prohibition by the Planning Commission via a Use Permit, and he must apply for and receive a Coastal Development Permit.

ENFORCEMENT TIMELINE

<u>Date</u>	<u>Action</u>
March 29, 2018	- County issues <u>Notice of Violation</u> (VIO 2017-00320) for Development without Necessary Permits.
May 3, 2018	- County issues <u>First Administrative Citation</u> 2017-00320-001 for “Development without Necessary Permits (Coastal Development Permit, Planned Agricultural Permit, and Use Permit).”
May 17, 2018	- A <u>Request for an Administrative Appeal Hearing</u> was received by the County from the appellant for the citation.
June 5, 2018	- A hearing date of July 19, 2018 was proposed to appellant’s attorney.
June 26, 2018	- Appellant’s attorney requested a continuance on the proposed July 19, 2018 hearing date.
August 24, 2018	- Hearing date of October 18, 2018 agreed to by appellant and County.
September 13, 2018	- County issues <u>Second Administrative Citation</u> , #2017-00320-002, for “Continuing Violations of Development without Necessary Permits (Coastal Development Permit, Planned Agricultural Permit, ⁵ and Use Permit).” (Attachment K.)
October 18, 2018	- Zoning Hearing Officer public hearing.

APPEAL PROCEDURES

Section 1.40.090 of the San Mateo County Ordinance allows any recipient of an administrative citation to request an appeal hearing to contest that there was a violation or that he or she is the responsible party, by completing a Request for Hearing Form and returning it to the County within 14 days from the date of the administrative citation, along with the processing fee as listed in the County’s fee schedule. The Request for Hearing Form shall include a brief statement of material facts, in this case supporting

⁵ See Footnote 1.

the appellant's claim that no violation occurred or no penalties or other remedies shall be imposed. In accordance with these procedures, the property owner has filed a timely and complete appeal.

Section 1.40.120 regulates the Hearing Officer's decision and administrative order. The Hearing Officer shall only consider evidence that is relevant to whether the violation occurred and whether the responsible person has caused or maintained the violation on the date specified in the administrative citation. After considering all of the testimony and evidence submitted at the hearing, the Hearing Officer shall issue a written decision to uphold or cancel all or part of the administrative citation and shall list the reasons for that decision.

The Community Development Director has designated that the appeal be heard by the Zoning Hearing Officer, who will have the role of Hearing Officer.

STAFF RECOMMENDATION

Staff recommends that the Hearing Officer uphold Administrative Citation #2017-00320-001, issued May 3, 2018, as the person responsible (Mr. Bixby) maintained the violations at the subject property on the date that the administrative citation was issued. The decision issued by the Hearing Officer shall include an administrative order for Mr. Bixby to immediately stop the unpermitted use, including but not limited to: conducting burials, land clearing, construction, and posting of signs.

1. **Confirmed Violations:** The following violations were confirmed to exist on the property during site inspections performed by Code Compliance Officers with consultation with Senior Planner Dave Holbrook on numerous dates between 2017 and 2018.

- a. **Development Without a CDP Permit:**

The property is located within the Coastal Zone and in a Planned Agricultural District (PAD). Based on evidence submitted by staff, it is clear that significant unpermitted development has occurred on the property including, but not limited to: wood ramps over a drainage ditch; significant land clearing, including cutting back natural habitat to the top of the bank drop-off for Purisima Creek; construction of a wooden maintenance shed and addition of a wooden bench; and posting of multiple signs advertising a new business. Such Development requires the issuance of a Coastal Development Permit (CDP) under Section 6328.4 (*Requirement for a Coastal Development Permit*). It is undisputed that Mr. Bixby did not obtain, and still has not obtained, such a permit.

b. Illegal Use Without a Use Permit:

Mr. Bixby has conducted at least six burials on the property since late 2017 or early 2018 without obtaining a necessary Use Permit. Through his actions, he has improperly enlarged the non-conforming use of the cemetery, as defined by Section 6132(4).

In addition, the following provisions of the San Mateo County Ordinance are relevant to this case:

1.08.030 - Separate Offenses

Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this code is committed, continued, or permitted by such person and shall be punishable accordingly.⁶

1.08.040 - Violations a Public Nuisance

In addition to the penalties hereinabove provided, any condition caused or permitted to exist in violation of the provisions of this code is hereby declared to be a public nuisance. Each day such existence continues shall be regarded as a new and separate public nuisance.

1.20.090 - Person

The word "Person" shall include any person, firm, association, organization, partnership, business trust, company, corporation, public agency, school district, the State of California, its political subdivisions, and/or instrumentalities thereof.

2. **Due Process:** The Planning and Building Department has followed the codified procedures to ensure due process for the recipient of the Notice of Violation and administrative citations.
3. **Case Resolution:** Mr. Bixby must apply for and obtain the necessary Coastal Development Permit (CDP) and Use Permit. Once he has done so, he must notify the Code Compliance Section and the Planning and Building staff for verification. If the Hearing Officer orders abatement by a set date and abatement occurs on or before that set date, no additional fines will be pursued, provided any outstanding fines are paid.

⁶ San Mateo County Ordinance Code Section 1.40.050(c)(5) also makes clear "that penalties are imposed each day the violation exists."

ATTACHMENTS

- A. Vicinity Map (APN: 066-180-060)
- B. Appellant's Notice of Claim of Possession (Adverse Possession), filed July 31, 2017
- C. Appellant's web page advertising natural burials at Purissima Cemetery
- D. Complaint, described in email from Senior Planner Dave Holbrook, dated September 12, 2017
- E. Notice of Violation, dated March 29, 2018
- F. First Administrative Citation, dated May 3, 2018
- G. Appeal Request from Attorney Roeser, dated May 17, 2018
- H. County Response from County Counsel Kulich, dated May 25, 2018
- I. Follow-up Letter from Attorney Roeser, dated June 26, 2018
- J. Photos from Inspections:
 - November 22, 2017: Photos showing the historic cemetery, and most recently-identifiable grave; and Bixby's development of ramps, signs, a shed, grading, and vegetation clearing.
 - Various dates, April – August 2018, new graves, some with post-markers.
 - May 9, 2018: Hearse parked at cemetery for one of the burials.
 - May 27, 2018: Delivery of landscape rocks for further development, and a subsequent photo showing the rocks placed in the cemetery.
 - August 30, 2018: New sign identifying an association with Universal Life Church, attached to a previously-posted sign. Also depicted: a bench erected near the sign.
- K. Second Administrative Citation, dated September 13, 2018
- L. Applicable Zoning Codes
 - Chapter 20B. "CD" District (Coastal Development District)
 - Sections 6328.3 (h) and (r), 6328.4, and 6328.5
 - Chapter 21A. "PAD" District (Planned Agricultural District)
 - Sections 6352 and 6353
 - Chapter 4. Zoning Nonconformities Sections
 - Sections 6132, 6134 and 6137
- M. Links for the Case File History in the Accela System, and links to articles/web posts referencing Purissima Cemetery on the internet.

TS:pac - TJSCC0480_WPU.DOCX



County of San Mateo - Planning and Building Department

ATTACHMENT A



San Mateo County Zoning Hearing Officer Meeting

Appellant/Location: _____

Attachment: _____

File Numbers: _____



County of San Mateo - Planning and Building Department

ATTACHMENT B

<p>Recording Requested by Return Recorded Document To:</p> <p>Edward Bixby 327 Marshallville Road Woodbine, NJ 08270</p>	<p style="text-align: center;">2017-065751</p> <p style="text-align: center;">11:51 am 07/31/17 NOT Fee: 18.00 Count of Pages 2 Recorded in Official Records County of San Mateo Mark Church Assessor-County Clerk-Recorder</p>  <p style="text-align: center;">* R 0 0 0 2 4 3 1 1 7 0 *</p> <p style="text-align: right;">Recorder's Stamp</p>
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Notice Of Claim Of Possession (Adverse Possession)

29

I, EDWARD BIXBY, hereby declare as follows:

(1) I currently have possession of the following described real property, located in San Mateo County, California:

All that certain real property situate in the County of San Mateo, State of California, and bounded as follows, on the North by the County Road leading from Spanishtown to Pescadero, on the East by lands of Flynn, as described in Deed recorded October 17, 1864, in Book 5 of Deeds at Page 148, South and West by lands of Doble, as described in Deed recorded August 1, 1868, in Book 8 of Deeds at Page 136, containing about five acres of land the same being known as the Purissimo Burial Ground.

[APN 066-180-060]

(2) The above-described real property has been, historically, and still is, a cemetery.

(3) As the person having current possession of the above-described property, I have claimed said property and have indicated my desire to be assessed for it, in order to perfect a claim in adverse possession, as is specifically provided for in Section 610 of the California Revenue and Taxation Code.

On July 31, 2017 before me, Carlos Garcia, Notary Public,

personally appeared Edward Bixby

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. WITNESS my hand and official seal.

Signature Carlos Garcia



Order No.
0360020248-CK

Ref No.

Guarantee No.
A04201-CTG-157042

CONDITION OF TITLE GUARANTEE

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, AND THE GUARANTEE CONDITIONS ATTACHED HERETO AND MADE A PART OF THIS GUARANTEE,



**OLD REPUBLIC NATIONAL
TITLE INSURANCE COMPANY**

GUARANTEES

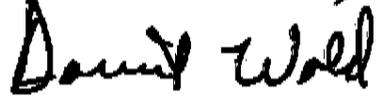
the Assured named in Schedule A of this Guarantee against loss or damage not exceeding the Amount of Liability stated in Schedule A sustained by the Assured by reason of any incorrectness in the Assurances set forth in Schedule A:

Dated: May 10th, 2017 at 8:00:00 AM

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
A Corporation
400 Second Avenue South, Minneapolis, Minnesota 55401
(612) 371-1111

Countersigned:

By 
Validating Officer

By  President
Attest  Secretary

ORT 5314

Schedule A

Order No.	0360020248-CK
Ref. No.	
Guarantee No.	A04201-CTG-157042
Liability	\$ 500.00
Date of Guarantee	May 10th, 2017 at 8:00:00 AM
Fee	\$ 400.00

1. Name of Assured:

Edward Bixby
Gary A. Patton, Attorney at Law

2. The estate or interest in the Land which is covered by this Guarantee is:

Fee

3. The Land referred to in this Guarantee is situated in the County of San Mateo, City of Half Moon Bay, State of California, and is described as follows:

All that certain real property situate in the County of San Mateo, State of California, and bounded as follows, on the North by the County Road leading from Spanishtown to Peacadero, on the East by lands of Flynn, as described in Deed recorded October 17, 1864, in Book 5 of Deeds at Page 148, South and West by lands of Dobbie, as described in Deed recorded August 1, 1868, in Book 8 of Deeds at Page 136, containing about five acres of land the same being known as the Purissimo Burial Ground.

APN: 066-180-060

4. Assurances:

According to the Public Records as of the Date of Guarantee,

- a. Title to the estate or interest in the Land is vested in:

Purissima Cemetery Association

Schedule B

Order No.	0360020248-CK
Ref. No.	
Guarantee No.	A04201-CTG-157042
Liability	\$ 500.00
Date of Guarantee	May 10th, 2017 at 8:00:00 AM
Fee	\$ 400.00

b. Title to the estate or interest is subject to defects, liens or encumbrances shown in Schedule B which are not necessarily shown in the order of their priority.

1. Taxes and assessments, general and special, for the fiscal year 2017 - 2018, a lien, but not yet due or payable.
2. Taxes and assessments, general and special, for the fiscal year 2016 - 2017, as follows:

Assessor's Parcel No	:	066-180-060	
Code No.	:	87-020	
1st Installment	:	\$1.71	Delinquent
Penalty	:	\$0.17	
2nd Installment	:	\$1.71	Delinquent
Penalty	:	\$0.17	
Cost	:	\$40.00	
Land Value	:	\$19,643.00	

The amount of the installment(s), plus penalty, is included in the amount to redeem shown as Exception No. 3 of the Preliminary Report Herein.

3. Said property having been declared tax defaulted for non-payment of delinquent taxes for the fiscal year 2011 - 2012, and subsequent delinquencies

Amount to redeem by July 31, 2017, for the above stated year (and subsequent years, if any) is \$305.97.

and by August 31, 2017	:	is \$306.27
and by September 30, 2017	:	is \$306.58

Assessor's Parcel No. : 066-180-060

4. The lien of supplemental taxes, if any, assessed pursuant to the provisions of Section 75, et seq., of the Revenue and Taxation Code of the State of California.

**County of San Mateo
Assessor-County Clerk-Recorder
Mark Church**

**555 County Center
Redwood City, CA, 94063**

Finalization 2017051139
7/31/17 11:51 am
011 33

Item Title

1 NOT

Notice	
Document ID	Amount

DOC# 2017-065751	18.00
Time Recorded 11:51 am	

Total	18.00
-------	-------

Payment Type	Amount
--------------	--------

Credit Card	18.00
# 04780z	

Amount Due	0.00
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**THANK YOU
PLEASE RETAIN THIS RECEIPT
FOR YOUR RECORDS**

SAN MATEO COUNTY REC
555 CITY CTR
REDWOOD CITY, CA 94063
650 363 4979

Clerk ID: 0033

Sale

XXXXXXXXXXXX4215
MASTERCARD

Entry Method: Chip

Total: \$

18.00

07/31/17

11:51:59

Inv #: 000000002

Appr Code: 04780Z

Apprvd: Online

MASTERCARD

0: A0000000041010
00 00 00 00 00
EB 00

Customer Copy
THANK YOU!

San Mateo County
Tax Receipt
Please Keep for your Records

Confirmation Number : **9035233**
Paid Date.....: 7/31/17
Total Paid.....: \$498.97

Pay online not in line at www.sanmateocountytaxcollector.org

Parcel Number	Inst.#	Situs Address	Paid Amount	Roll
066-180-060			\$498.97	Redemption

02-0416-4100009-1
EV.02(04-16)



Mark Church

Assessor-County Clerk-Recorder

555 County Center, 3rd Floor
Redwood City, CA 94063-1665
Phone: (650) 363-4771
Fax: (650) 599-7435
E-Mail: assessor@smcare.org
Web: www.smcare.org

CHANGE OF MAILING ADDRESS

Property assessment information and property tax bills are mailed to the current address of record on file with the County Assessor. Property owners are responsible for notifying the Assessor promptly whenever their mailing address has changed.

Assessor Parcel Number(s): 066-180-060

Assessment Number(s): (If Applicable) _____

Property Owner: (Please Print)

Bixby Edward F
Last Name First Name Middle

Property Address: Intersection of Purissima Creek RD + Verde RD

Street Address
SAN MATEO County CA
City State Zip

New Mailing Address as of 7/31/17 (Date)

#327 MARSHALL RD
Address 1 (or c/o)

Address 2
Woodbine NJ 08270
City State Zip

- ▶▶ This property has been: Sold Rented Neither
- ▶▶ Was this your principal place of residence? Yes No
- ▶▶ I/we vacated the property on (Date Moved): 7/1/17

I no longer reside at the property location shown above as my principal place of residence; please remove any Homeowner's Exemption applied on my behalf for this location as of ___/___/___ (Date Moved).

Property Owner or Agent: (Please Print)

Bixby Edward F
Last Name First Name Middle

Edward Bixby 7/31/17
Signature Date

Bixby17@msn.com (609) 628-2297
Email Address Daytime Phone Number

ASSESSOR USE ONLY Initials: _____ Date: _____	Add <input type="checkbox"/> Change <input type="checkbox"/> Delete <input type="checkbox"/>
	Add HOX <input type="checkbox"/> Remove HOX <input type="checkbox"/>

DECLARATION PURSUANT TO REVENUE AND TAXATION CODE SECTION 610

I, EDWARD BIXBY, hereby declare as follows, under penalty of perjury:

- (1) I currently have possession of the following described real property, located in San Mateo County, California:

All that certain real property situate in the County of San Mateo, State of California, and bounded as follows, on the North by the County Road leading from Spanishtown to Pescadero, on the East by lands of Flynn, as described in Deed recorded October 17, 1864, in Book 5 of Deeds at Page 148, South and West by lands of Dobble, as described in Deed recorded August 1, 1868, in Book 8 of Deeds at Page 136, containing about five acres of land the same being known as the Purissimo Burial Ground.

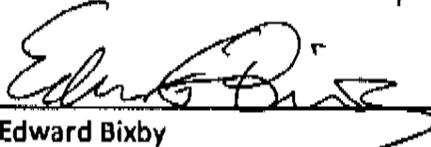
[APN 066-180-060]

- (2) The above-described real property has been, historically, and still is, a cemetery.
- (3) As the person having current possession of the above-described property, I am claiming it and desire to be assessed for it, in order to perfect a claim in adverse possession, as is specifically provided for in Section 610 of the California Revenue and Taxation Code.
- (4) This declaration is made pursuant to Section 610(b)(3) of the California Revenue and Taxation Code, a copy of which is attached to this declaration. Pursuant to that section of law I request that my name inserted with that of the assessee.
- (5) My current address is listed below. All communications about the above-described property, of whatever kind or character, including notices of all assessments, taxes, levies, fees, penalties, or any other payments due with reference to the property, should be sent to me at the following address:

Edward Bixby
327 Marshallville Road
Woodbine, NJ 08270

Statement Under Penalty of Perjury:

I hereby declare under penalty of perjury that the foregoing is true and correct. Executed at Redwood City, California on this 31st day of July, 2017.


Edward Bixby

REVENUE AND TAXATION CODE - RTC
DIVISION 1. PROPERTY TAXATION [50 - 5911]
(Division 1 enacted by Stats. 1939, Ch. 154.)

PART 2. ASSESSMENT [201 - 1367]
(Part 2 enacted by Stats. 1939, Ch. 154.)

CHAPTER 3. Assessment Generally [401 - 681]
(Chapter 3 enacted by Stats. 1939, Ch. 154.)

ARTICLE 6. Assessment Roll [601 - 623]
(Article 6 enacted by Stats. 1939, Ch. 154.)

610.

(a) Land once described on the roll need not be described a second time, but any person, claiming and desiring to be assessed for it, may have his or her name inserted with that of the assessee.

(b) A person is "claiming" property for purposes of subdivision (a) only if he or she provides the assessor with one of the following supporting documents:

(1) A certified copy of a deed, judgment, or other instrument that creates or legally verifies that person's ownership interest in the property.

(2) A certified copy of a document creating that person's security interest in the property.

(3) His or her declaration, under penalty of perjury, that he or she currently has possession of the property and intends to be assessed for the property in order to perfect a claim in adverse possession.

(Amended by Stats. 1992, Ch. 395, Sec. 1. Effective January 1, 1993.)

- (4) This declaration is my notice to any and all persons who may have an interest in the said real property that I am in possession of the property and am intending to claim ownership of the property through adverse possession.
- (5) My current address is listed below. All communications about the above-described property, of whatever kind or character, should be sent to me at the following address:

Edward Bixby
 327 Marshallville Road
 Woodbine, NJ 08270

Statement Under Penalty of Perjury:

I hereby declare under penalty of perjury that the foregoing is true and correct. Executed at Redwood City, California on this 31st day of July, 2017.



 Edward Bixby

<Insert Notary Acknowledgment Here>

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
 County of San Mateo

On July 31, 2017 before me, Carlos Garcia, Notary Public,

personally appeared Edward Bixby

_____ who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. WITNESS my hand and official seal.

Signature Carlos Garcia



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

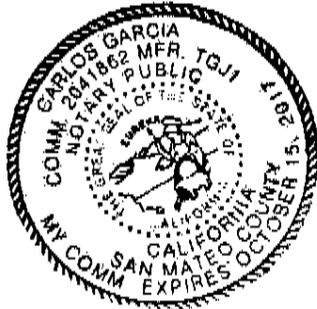
State of California)
County of San Mateo)
On July 31, 2017 before me, Carlos Garcia Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Edward Bixby
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Carlos Garcia
Signature of Notary Public



Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Declaration Pursuant To Revenue and Taxation Code Section 610
Document Date: July 31, 2017 Number of Pages: 2
Signer(s) Other Than Named Above: N/A

Capacity(ies) Claimed by Signer(s)

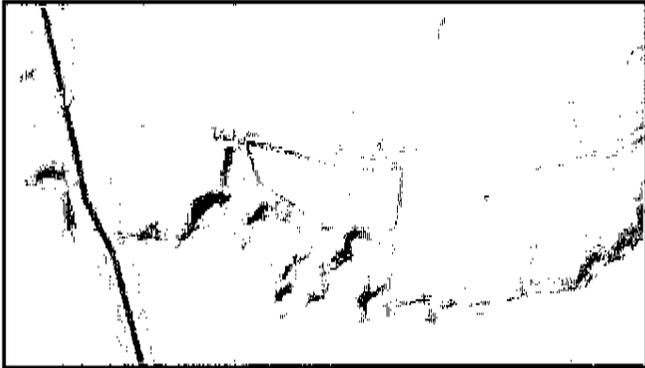
Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____



**Office of Mark Church
Assessor - County Clerk - Recorder & Chief Elections Officer**

CURRENT INFORMATION



Summary of Property Details

APN: 066-180-060
Owner 1: Purissima Cemetery
Owner 2:
Care Of:
Owner Address: null, null, null 00000-0000
Situs Address:
Legal Description: 5 AC MOL BND NLY BY
 PURISSIMACRK RD LYING
 APPROX 1200 FT ELY OF
 CABRILLO HWY BEING PTN
 OF SEC 21 T8SR5W MDB&M
 CABRILLO UNIFIED SCH
 DIST
District: 5
Neighborhood: 077
Current Jurisdictions
Supervisorial: 3
Congressional: 14
Assembly: 24
Senatorial: 13
Election Precinct: 3331
City Name: Unincorporated
Mitigation Fee Area: RURAL AREANORTH

Property Use Details

CEMETERY, MORTUARY
(77)

Secured Assessment Roll: 2017-1

Assessee Details		Assessment Values		Assessment Details	
Owner 1:	PURISSIMA CEMETERY	Land:	\$20,035	Assessment Type:	Annual
Owner 2:		Temp Land:		Temp Code:	
Care Of:		Root:		Notice Date:	
Owner:	00000-0000	Min/Mineral:		Change #:	
Address:		Improvements:		TRA:	087-020
Document Number:	84118579	Temp Improvements:		PUC:	77
		Fixtures:		PUC:	Cemetery, Mortuary
		Total Gross:	\$20,035	Description:	
		Total Temp:			
		Exemption - Home Owner:			
		Exemption - Other:	\$20,035		
		Net Assessed:			

Current Tax Rate Area 087-020

GENERAL TAX RATE	GENERAL COUNTY T	COUNTY DEBT SERV	FREE LIBRARY
CADRILLO UNIFIED	CABRILLO UNIFIED	CABRILLO USD GO	CADRILLO UNIFED
SM JR COLL BOND	COASTSIDE FIRE P	COUNTY HARBOR DI	RESOURCE CONSERV
BAY AREA AIR QUA	SM JR COLL BOND	SAN MATEO COMM C	SM JR COLL BOND
SM JR COLLEGE BD	SM JR COLL BOND	SM JR COLL BOND	SM JR COLL BOND
SM JR COLLEGE GE	COUNTY EDUCATION		

PROPERTY DETAILS AND ASSESSMENT INFORMATION - FOR REFERENCE ONLY

The San Mateo County Assessor-County Clerk-Recorder's Office offers this information as a service to the public. The Assessor-County Clerk-Recorder's Office makes no warranty or guarantee concerning the accuracy or reliability of the presented information. Determining the accuracy and reliability of information is the sole responsibility of the user. The Assessor-County Clerk-Recorder's Office or the County shall not be liable for errors contained herein or for any damages resulting from, or in connection with the use of the information contained herein.

WRITE YOUR PARCEL NUMBER ON YOUR CHECK AND USE AN ENCLOSED ENVELOPE

PARCEL NUMBER
066-180-060
9/13/2017

PAY
DUE FEB 1, 2018
\$ 1.74
AFTER APRIL 10, 2018
ADD
10% PENALTY
AND \$40.00 COST
TO YOUR PAYMENT

IF PROPERTY HAS BEEN SOLD
PLEASE FORWARD THIS
BILL TO THE NEW OWNER

ASSESSED TO
PURISSIMA CEMETERY
327 MARSHALLVILLE RD
WOODBINE, NJ 08270-3324

MAKE CHECKS PAYABLE TO
SANDIE ARNOTT,
SAN MATEO COUNTY TAX COLLECTOR
P.O. BOX 45878
SAN FRANCISCO, CA 94146-0878

PAYABLE IN U.S. FUNDS ONLY

SECOND INSTALLMENT PAYMENT
CANNOT BE ACCEPTED UNLESS
FIRST INSTALLMENT IS PAID

MARK YOUR CALENDAR -
NO REMINDER NOTICES WILL BE MAILED!

12102201735686606618006000002018041000000000174000000041916

Detach this stub and return with your payment

BEFORE PAYING THIS BILL MAKE SURE IT IS FOR YOUR PROPERTY

PARCEL NUMBER
066-180-060
9/13/2017

PAY
DUE NOV 1, 2017
\$ 1.74
AFTER DEC 10, 2017
ADD
10% PENALTY
TO YOUR PAYMENT

INCLUDE BOTH PAYMENT STUBS TO PAY TOTAL TAX OF
\$ 3.48
BY DEC 10, 2017
USE AN ENCLOSED ENVELOPE
PAYABLE IN U.S. FUNDS ONLY

ASSESSED TO
PURISSIMA CEMETERY
327 MARSHALLVILLE RD
WOODBINE, NJ 08270-3324

MAKE CHECKS PAYABLE TO
SANDIE ARNOTT,
SAN MATEO COUNTY TAX COLLECTOR
P.O. BOX 45878
SAN FRANCISCO, CA 94146-0878

SEE REVERSE SIDE AND INSERT FOR OTHER IMPORTANT INFORMATION

11102201735686606618006000002017121000000000174000000001916

066-180-060
STEELMANTOWN CEMETERY
OPERATING ACCOUNT
327 MARSHALLVILLE ROAD
WOODBINE, NJ 082703324

56-7124/2312 1333

DATE: 10/11/17

PAY TO THE ORDER OF: SAN MATEO TAX COLLECTOR

Three ⁴⁸/₁₀₀ \$ 3.48 DOLLARS

Bank of San Mateo City
2072 SHORE ROAD
OCLAN VIEW, N.J. 08250-1121

MEMO: NOV 17 + FEB 18 Ed Brown

1:2312712421: 2 52 202250711333



County of San Mateo - Planning and Building Department

ATTACHMENT C

Steelmantown Cemetery & Purissima Natural Burial Grounds

[home](#) | [about](#) | [purissima](#) | [columbian](#) | [sea scattering](#) | [gallery](#) | [directions](#) | [contact](#)

Resting with Nature.... Purissima Cemetery

Circa 1868, a true resting place with nature. Surrounded by massive cedar and pine trees, running alongside the Purissima creek. Sweeping views of the Pacific Ocean. It is Natural Burial at its best.

Perfect for those that want to become one with the Earth... a final resting place that personifies your life.

Ed Bixby, owner of Steelmantown Cemetery in Steelmantown, New Jersey announces the opening of Purissima Cemetery located in Half Moon Bay, in San Mateo County, California. Over the next few months Ed will be working to restore the cemetery to its original natural beauty and replicate the many features associated with Natural Burial including erecting a Chapel on the premises.

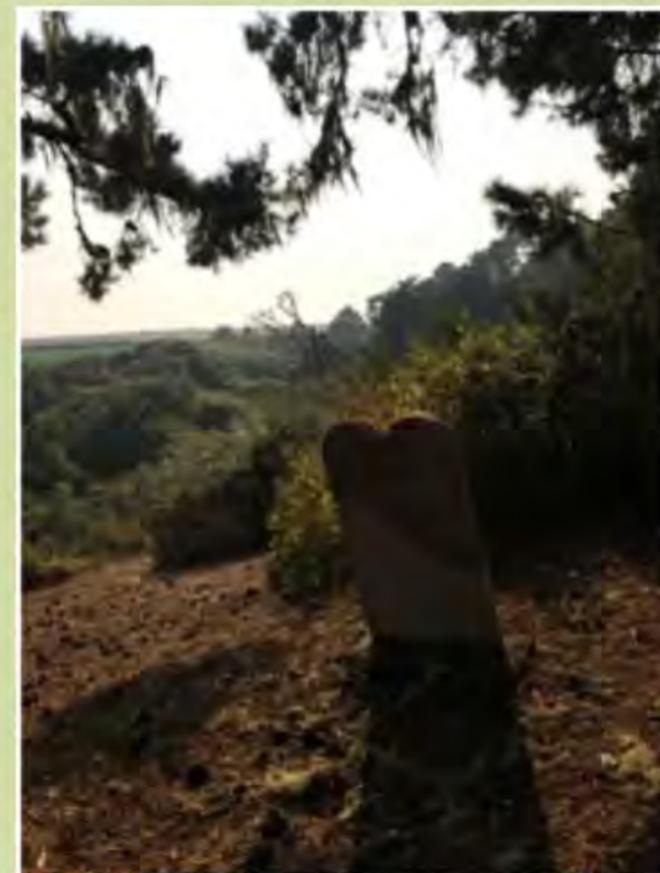
Natural burial allows your body and soul to entwine with all the beauty that Mother Nature has to offer:

- **no embalming fluid**
- **no concrete vaults**
- **burial shrouds, pine and wicker caskets**
- **preservation and enhancement of the natural surroundings**
- **natural stone markers**
- **hand dug burial sites**

Here is some Historical information about the Purissima Cemetery - Wikipedia

"On September 15, 1868, John Purcell deeded some of his property to the citizens of Purissima for a burial ground. The Purissima Cemetery Association was created. Free burials were to be provided to Purissima residents. A Protestant church was to be built next to the cemetery. [2]

Call Steelmantown Cemetery 609-628-2297 if you'd like more information about the Purissima Cemetery



Steelmantown Certificate of Authority #230

Columbian Cemetery OCMB#2017/2018 CE - 0898; Purissima Cemetery - Universal life ~ Edward F. Bixby II, Proprietor

Steelmantown Location: 101 Steelmantown Road Steelmantown, N.J.

Purissima Address: #1165 Verde Rd. #1 Half Moon Bay Ca. 94019

Columbian Address: #1151 Columbia Blvd Portland, Oregon 97211

Mailing Address: 327 Marshallville Road Marshallville, N.J. 08270 Phone: 609-628-2297



County of San Mateo - Planning and Building Department

ATTACHMENT D

ATTACHMENT D

COMPLAINT

- Complaint, described in email from Senior Planner Holbrook, dated September 12, 2017

From: Dave Holbrook

Sent: Tuesday, September 12, 2017 2:57 PM

To: Steve Monowitz <smonowitz@smcgov.org>; Lisa Aozasa <laozasa@smcgov.org>; Melissa Ross <mross@smcgov.org>

Cc: *(Redacted)*

Subject: REVISED Purissima Cemetery STATUS update

9/11/17 - We got a report that there are signs up (by new owner) soliciting new, natural burials. But per the conclusions cited in this MNA file, such burial activity CANNOT occur until the new owner/applicant has - minimally - merged the 2 parcels & applied for a Non-Conforming Use Permit & Coastal Development Permit (CDP) to expand & restore the old cemetery use as a current cemetery, with ALL other issues in this document resolved. The erected sign on the cemetery property states "Owned & Operated by Steelmantown Cemetery". Tim Duff of the Coastal Conservancy confirmed the sale. A Google search located their website & shows an address of: 101 Steelmantown Rd., Woodbine, NJ 08270. Phone: (609) 892-4429. The NJ facility proprietor was listed as Edward Bixby II, with a mailing address of 327 Marshallville Rd., Marshallville, NJ 08270. I called the Steelmantown phone # & left message for someone to call me & mailed to them the notes & conditions of this file. Also, the erected "Purissima Cemetery" sign alone requires a CDP. The *(complainant)* communicated in their 9/11/17 email: "The folks showed up, weed wacked trails, installed signs and left". The *(complainant's)* message believed that they were allegedly planning burials & that people are already purchasing. IF any such burial activity should occur, that would represent a zoning VIOLATION (for reasons previously stated in this note) & would be treated as such with a violation case & notice sent to the owner.

12/13/2011 - Initial Inquiry CLOSED.



County of San Mateo - Planning and Building Department

ATTACHMENT E



COUNTY OF SAN MATEO
 PLANNING AND BUILDING DEPARTMENT
 CODE COMPLIANCE DIVISION, 455 COUNTY CENTER, 2nd FLOOR
 REDWOOD CITY, CA 94063
 (650) 363-4825 (office)
 (650) 363-4825 dentro de las horas de 7:00 a.m. y 4:00 p.m.

NOTICE OF VIOLATION

AVISO IMPORTANTE, si desea una traducción, favor de llamar al número (650) 363-4825

Name of Property Owner/Responsible Person: Purissima Cemetery c/o Ed Bixby, Steelmantown Cemetery
 Address if Different than Violation(s): 327 Marshallville Rd., Woodbine, NJ 08270
 APN: 066-180-060, revealed the code violation(s) noted below.

Date Issued: March 29, 2018
 VIO#: 2017-00320

An inspection of the premises located on Verde Rd., Half Moon Bay, in the County of San Mateo, CA, known as "Purissima Cemetery," APN: 066-180-060, revealed the code violation(s) noted below.

THE VIOLATION(S) NOTED BELOW MUST BE CORRECTED BY: April 13, 2018.

A REINSPECTION WILL BE MADE ON OR AFTER THE CORRECTION DATE TO VERIFY COMPLIANCE. If the violation(s) has (have) not been corrected by the date shown above, Administrative Citations ranging from \$100 to \$500 per violation per day and/or more severe enforcement remedies may be implemented. To avoid receiving fines and/or penalties, or if you need further information and/or an extension (not guaranteed), you must contact the Code Compliance Officer listed below by the above date.

SEE REVERSE SIDE FOR FAILURE TO COMPLY NOTICE

- San Mateo County Ordinance Code Section 7.60.140 Inoperable/abandoned vehicle on the property
- 2015 International Property Maintenance Code Section 302.1 Exterior of property in unclean, unsafe and/or unsanitary condition
- 2015 International Property Maintenance Code Section 302.4 Over height fences, walls, Hedges
- San Mateo County Zoning Regulations Section 6412 Fences, walls, and hedges shall not exceed four (4) ft. in height in front yard and six (6) ft. in height in side yard areas. Reduce the height of the fence, wall, and/or hedge to not exceed the required height limitations.
- 2015 International Property Maintenance Code Section 302.7 Accessory Structure and/or fence/wall in disrepair
- San Mateo County Building Regulations Section 9006 Construction/Grading without permits and inspections
- San Mateo County Building Regulations Section 9283 Excavating, grading, filling, and/or land clearing/disturbing requires a valid permit prior to start of work. Immediately cease all work.
- San Mateo County Ordinance Code Sections 11.051 & 12.020 A. valid county permit is required to remove, destroy or trim a Heritage or Significant tree, whether indigenous or exotic. You must apply for and obtain an "after-the-fact tree cutting permit" with the Planning Department.
- Other: San Mateo County Zoning Regulations Section 6328, et seq: Development without necessary permits. To remedy, contact the San Mateo County Planning and Building Dept. to apply for 1) A Coastal Development Permit, 2) A Planned Agricultural District Permit, and 3) A Use Permit for the development conducted on the property and any proposed development for the future.

SIGNATURE/PRINT NAME

 ORIGINAL

Tim Sullivan

Please call or email me at 650-599-5901 for more information or call one of the following numbers:
 Code Compliance Division: (650) 363-4825 Planning Division (650) 363-1825 Building Division (650) 599-7311

March 29, 2018
 DATE ISSUED



NOTICE OF VIOLATION

Date Issued: March 29, 2018
VIO#: 2017-00320

COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT
CODE COMPLIANCE DIVISION, 455 COUNTY CENTER, 2nd FLOOR
REDWOOD CITY, CA 94063 (650) 363-4825 (Office)

AVISO IMPORTANTE, si desea una traducción, favor de llamar al número (650) 363-4825 dentro de las horas de 7:00 a.m. y 4:00 p.m.

Name of Property Owner/Responsible Person: Purissima Cemetery c/o Ed Bixby, Steelmantown Cemetery
Address if Different than Violation(s): 327 Marshallville Rd., Woodbine, NJ 08270

An inspection of the premises located on Verde Rd., Half Moon Bay, in the County of San Mateo, CA, known as "Purissima Cemetery," APN: 066-180-060, revealed the code violation(s) noted below.

THE VIOLATION(S) NOTED BELOW MUST BE CORRECTED BY: April 13, 2018.

A REINSPECTION WILL BE MADE ON OR AFTER THE CORRECTION DATE TO VERIFY COMPLIANCE. If the violation(s) has (have) not been corrected by the date shown above, Administrative Citations ranging from \$100 to \$500 per violation per day and/or more severe enforcement remedies may be implemented. To avoid receiving fines and/or penalties, or if you need further information and/or an extension (not guaranteed), you must contact the Code Compliance Officer listed below by the above date.

SEE REVERSE SIDE FOR FAILURE TO COMPLY NOTICE

Inoperable/abandoned vehicle on the property

- San Mateo County Ordinance Code Section 7.60.140 Remove all inoperable, wrecked, dismantled, licensed or unlicensed vehicles from the property or relocate into fully enclosed structure. DO NOT relocate onto public street.

Exterior of property in unclean, unsafe and/or unsanitary condition

- 2015 International Property Maintenance Code Section 302.1 Maintain exterior property and premises in a clean, safe and sanitary condition.
- 2015 International Property Maintenance Code Section 302.4 Remove all overgrown and/or dead weeds and/or vegetation from the exterior of the property. Maintain growth at a maximum height of 18 inches or less.

Over height Fences, Walls, Hedges

Accessory Structure and/or fence/wall in disrepair

- San Mateo County Zoning Regulations Section 6412 Fences, walls, and hedges shall not exceed four (4) ft. in height in front yard and six (6) ft. in height in side yard areas: Reduce the height of the fence, wall, and/or hedge to not exceed the required height limitations.
- 2015 International Property Maintenance Code Section 302.7. Maintain all accessory structures, including detached garages, fences and walls in good repair and in a structurally sound condition.

Construction/Grading without permits and inspections

- San Mateo County Building Regulations Section 9006 A valid County permit is required prior to starting work. Immediately cease all work, apply for and obtain proper permits from the Planning and Building Department. A final inspection approval may be required.
- San Mateo County Building Regulations Section 9283. Excavating, grading, filling, and/or land clearing/disturbing requires a valid permit prior to start of work. Immediately cease all work. Apply for and obtain a grading or clearing permit with the Planning Department.

Heritage Tree and/or Significant Tree Violation

- San Mateo County Ordinance Code Sections 11.051 & 12.020 A valid county permit is required to remove, destroy or trim a Heritage or Significant tree, whether indigenous or exotic: You must apply for and obtain an "*after-the-fact tree cutting permit*" with the Planning Department.

Other: San Mateo County Zoning Regulations Section 6328, et seq: Development without necessary permits. To remedy, contact the San Mateo County Planning and Building Dept. to apply for 1) A Coastal Development Permit, 2) A Planned Agricultural District Permit, and 3) A Use Permit for the development conducted on the property and any proposed development for the future.

Please call or email me at 650-599-5901 for more information or call one of the following numbers:
Code Compliance Division: (650) 363-4825 Planning Division (650) 363-1825 Building Division (650) 599-7311

/ Tim Sullivan

March 29, 2018

SIGNATURE/PRINT NAME

DATE ISSUED

AVISO IMPORTANTE

si desea una traducción, favor de llamar al número (650) 363-4825
dentro de las horas de 7:00 a.m. y 4:00 p.m.

IMPORTANT - PLEASE READ

Consequences of Failure to Correct Violations

San Mateo County Ordinance Code Chapter 1.40 outlines some of the enforcement remedies available to encourage compliance with this notice.

This includes, but is not limited to, the issuance of Administrative Citations for code violations. If the violation(s) has (have) not been corrected by the date specified on the front side of this Notice of Violation, Administrative Citations, ranging from \$100 to \$500 per violation per day, and/or more severe enforcement remedies may be implemented.

Other available enforcement remedies, include, but are not limited to: civil penalties, criminal prosecution, civil injunction, withholding of future permits, abatement, property lien, and recordation of the violation(s) with the County Recorder's office

Per San Mateo County Ordinance Code Section 1.40.020, the above remedies are cumulative and nothing prohibits the use of more than one remedy being used at the same time.

If you are unclear on the violations or how to correct them or are requesting an extension (not guaranteed), please contact the Code Compliance Officer designated on the front of this notice in advance of the compliance deadline given.

Please note: If your property previously had a notice recorded through the County Recorder's office, including, but not limited to, a Notice of Violation or Stop Work Notice - that pre-existing violation may need to be resolved before the current violation case can be closed. Additional fines and penalties may be imposed to resolve the former violation.

AVISO IMPORTANTE

si desea una traducción, favor de llamar al número (650) 363-4825
dentro de las horas de 7:00 a.m. y 4:00 p.m.



County of San Mateo - Planning and Building Department

ATTACHMENT F



County of San Mateo
 Planning and Building Department
 CODE COMPLIANCE DIVISION
 455 County Center 2nd floor
 Redwood City, CA 94063
 TELEPHONE NO. (650) 363-4825

Office DEPOT®

Case No. VIO2017-00320
 Citation No. VIO2017-00320 - 001

Date of Violation: May 3, 2018
 WARNING
 3rd Citation - \$500
 1st Citation - \$100
 (per violation and each violation within a 12-month period)

Administrative Citation

Payment of \$ 100.00 is due no later than May 18, 2018

This citation prohibits the continuation or repeated occurrence of the violation described below. Payment of the fine shall not excuse the failure to correct the violation nor shall it bar further enforcement by the County.

Violation Address
 Purissima Cemetery, Verde Rd., North San Gregorio
 AKA: 1165 Verde Rd., #1, Half Moon Bay, CA 94019
Person Cited
 Edward Bixby II

Mailing Address
 327 Marshallville Rd., Woodbine, New Jersey 08270

Name of Code	Section of Code
1 San Mateo Co. Zoning Regs.	6328, et seq.
2	

Corrections/Actions required by you:
 Immediately cease all burials. Contact the San Mateo County Planning and Building Dept. to apply for 1) A Coastal Development Permit, 2) A Planned Agricultural District Permit, and 3) A Use Permit for the development conducted on the property and any proposed development for the future.

Complete the above corrections by May 18, 2018. Failure to comply by this date may result in the issuance of the next level citation and/or other enforcement actions.

Enforcing Officer
 Tim Sullivan
 In Person
 Posted on Property

Method of Delivery
 In Person
 Posted on Property

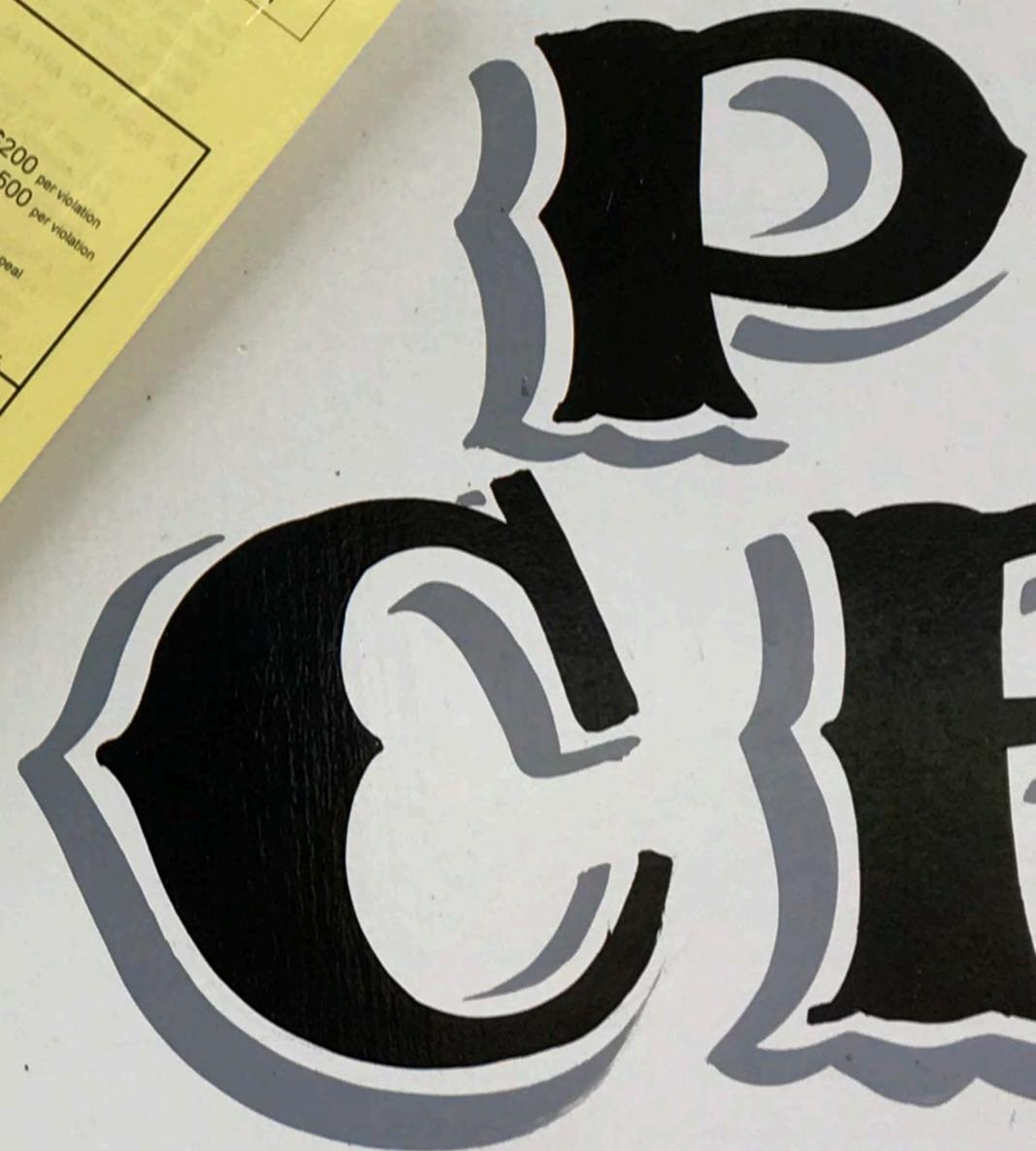
Signature
 [Signature]

Phone Number
 650-599-5901

By Mail
 Other

Date issued
 5/3/18

AVISO IMPORTANTE: SI DESEA UNA TRADUCCION, FAVOR DE LLAMAR AL NUMERO (650) 363-4825





County of San Mateo
 Planning and Building Department
 CODE COMPLIANCE DIVISION
 455 County Center 2nd floor
 Redwood City, CA 94063
 TELEPHONE NO. (650) 363-4825

Case No. VIO2017-00320
Citation No. VIO2017-00320 - 001

Administrative Citation

Date of Violation: May 3, 2018

WARNING
 1st Citation - \$100 per violation
 2nd Citation - \$200 per violation
 3rd Citation - \$500 (per violation and each violation within a 12-month period)
 Citation - \$500 per violation

Payment of \$ 100.00 is due no later than May 18, 2018 (see reverse side for payment and appeal information)

This citation prohibits the continuation or repeated occurrence of the violation described below. Payment of the fine shall not excuse the failure to correct the violation nor shall it bar further enforcement by the County.

Violation Address Purissima Cemetery, Verde Rd., North San Gregorio AKA: 1165 Verde Rd., #1, Half Moon Bay, CA 94019	Assessor's Parcel Number 066-180-060
Person Cited Edward Bixby II	Relationship of person being cited "Proprietor." Occupant of property and self-identified owner.
Mailing Address 327 Marshallville Rd., Woodbine, New Jersey 08270	Business (if applicable) "Steelmantown Cemetery & Purissima Natural Burial Grounds"

Code Section Violated		Description of Violation
Name of Code	Section of Code	
1.	San Mateo Co. Zoning Regs. 6328, et seq.	Development without Necessary Permits (Coastal Development Permit, Planned Agricultural Permit, and Use Permit).
2.		

Corrections/Actions required by you:

Immediately cease all burials. Contact the San Mateo County Planning and Building Dept. to apply for 1) A Coastal Development Permit, 2) A Planned Agricultural District Permit, and 3) A Use Permit for the development conducted on the property and any proposed development for the future.

Complete the above corrections by May 18, 2018. Failure to comply by this date may result in the issuance of the next level citation and/or other enforcement actions.

Enforcing Officer Tim Sullivan	Phone Number 650-599-5901	Signature 	Date issued 5/3/18
Method of Delivery			
<input type="checkbox"/> In Person	<input checked="" type="checkbox"/> Posted on Property	<input checked="" type="checkbox"/> By Mail	<input type="checkbox"/> Other

ADMINISTRATIVE CITATIONS

PLEASE READ CAREFULLY

AVISO IMPORTANTE: SI DESEA UNA TRADUCCIÓN, FAVOR DE LLAMAR AL NÚMERO (650) 363-4825

San Mateo County Code of Ordinances Section 1.40.050 provides for the issuance of Administrative Citations for violations of the Code. There are four levels of citations that may be issued progressively for a violation. The levels, as indicated on the front of the citation, are a Warning, a First Citation - \$100, a Second Citation - \$200, and a Third and subsequent Citations - \$500 for violations of the same San Mateo County code section within a 12-month period. Fines are per violation and are cumulative.

A. RIGHTS OF APPEAL

You have the right to contest the fact that the violation existed or that you are not the responsible party for said violation. The appeal must be made within 14 days from the date of the Administrative Citation. Within 14 days of issuance of the citation, you must submit a Request for Hearing Form along with a processing fee and an advance deposit of the Administrative Citation penalty.

A Request for Hearing Form may be obtained from the Planning and Building Department and the person specified on the Administrative Citation. The Request for Hearing Form shall include a brief statement of material facts supporting the appellant's claim that no violation occurred or no penalties or other remedies shall be imposed.

A valid and complete Request for Hearing will result in an Administrative Appeal Hearing.

A warning, if issued, does not incur a fine and, therefore, cannot be appealed.

B. HOW TO PAY FINE

The amount of the fine is indicated on the front of the administrative citation and is due within 14 days of the issue date of the citation. You may pay by mail or in person. Payment should be made by credit card, personal check, cashier's check, or money order payable to the County of San Mateo. Payment should be made at the address below. Please write the citation number on your check or money order.

County of San Mateo
Planning and Building Department
455 County Center 2nd floor
Redwood City, CA 94063
Attention: Code Compliance / Administrative Citations

Payment of any fine shall not excuse the failure to correct the violation nor shall it stop further enforcement by the County.

C. CONSEQUENCES FOR FAILURE TO PAY THE FINE

If the fine is not paid within 14 days of the issue date of the citation, the County may collect any past due administrative citation penalty, late payment charge, and costs of collection by use of any and all available legal means.

D. CONSEQUENCES OF FAILURE TO CORRECT VIOLATIONS

There are numerous other enforcement options that may be used to encourage correction of violations. These options include, but are not limited to: criminal prosecution, civil litigation, abatement, recording the violation with the County Recorder, and forfeiture of certain benefits for substandard residential rental property.

If you need further information about the violation and/or how to comply, please call the officer designated on the front of the citation.



County of San Mateo - Planning and Building Department

ATTACHMENT G

May 17, 2018

Via E-Mail and Fax Only

Mr. Tim Sullivan
County of San Mateo Planning and Building Department
Code Compliance Division
Email: tjsullivan@smcgov.org
Fax: (650) 363-4849

Re: Administrative Citation No. VIO2017-00320-001

Dear Mr. Sullivan:

This office represents Edward Bixby and the Purissima Cemetery Association. I write with respect to the above Administrative Citation in hopes of clearing the matter up without the need for any hearing. Please also accept this letter as notice of appeal of the citation by my client and a Request for Hearing in the event the matter cannot be resolved via our mutual amicable efforts before such hearing.

The citation states that the parcel is being developed without required permits; namely, a Coastal Development Permit, a Planned Agricultural Permit, and a Use Permit. My client asserts that none of these permits are required.

This property has been used as, and operated as, a cemetery by the Purissima Cemetery Association, or members of the families of persons buried there, since 1868 to present, with continuing maintenance activities since such date. While the property has not seen extensive activity at times, such use has never been abandoned. Maintenance activities and use as a cemetery has always continued. As such, this use has been “grandfathered” into any current permit requirements. The County of San Mateo first enacted zoning regulations in 1933.

Furthermore, our client’s activities do not constitute a “Development” or a “Project” under SMC Zoning Regulation Sections 6323.3(h) or (r), respectively. There are no “Agriculture” activities under Section 6102.3 going on at the site. There is no “building” on the site but rather a small storage shed ancillary to permissible maintenance activities that have always been engaged in.

Even if there were a development or project or agriculture activities occurring at the site, there is no use occurring subject to a permit under Sections 6352 et seq., and exemptions would apply even if a permit might be applicable; namely, maintenance and repair activities (Section 6328.5(b), (d), for example) to a burial site that has been in existence and operation without abandonment since 1858.

The purpose of the SMC Zoning Plan is stated as to protect the character of the area, to protect

health and safety of its citizens, and various other long-standing principles to the benefit of the community. There has never been any issue with the operation of this cemetery since 1858. It is

well-known nationally and the family members of deceased persons buried there have maintained consistent access to the parcel. There is nothing new going on here other than our client taking greater interest in providing better maintenance for the continued use of this site through the long-standing Purissima Cemetery Association. We ask that the County simply do as they have always done and permit the continuing use of the parcel as a cemetery without the need for any further action by our client.

The facts supporting the use never being abandoned are simple: deceased persons are buried on the site and their remains have been visited by families and their descendants at all times with continuing maintenance activities. Maintenance in the past has been less than what our client recently engaged in to better “clean up” the premises, but maintenance has been consistent nonetheless. Various family members of deceased persons buried on premises can attest to the continued use of the parcel as well as continued access and maintenance since its initial use a long time ago.

While the Purissima Cemetery Association was suspended for a period of time, the family members continued use of the premises and maintenance individually and as representatives of the Purissima Cemetery Association, which suspension was removed. The suspension does not invalidate in any way the continuing use and maintenance activities, which is now moot anyway as the suspension has been lifted.

Based on the foregoing facts and statements, our client contests the fact that a violation existed before, on or after May 3, 2018 as alleged in the above-referenced citation, and therefore asserts and respectfully requests that no penalties or other remedies should be imposed, and the violation withdrawn.

Sincerely,

/s/ Steven Roeser

Steven R. Roeser, Esq.

cc: Client, Legal Team



County of San Mateo - Planning and Building Department

ATTACHMENT H

COUNTY COUNSEL

JOHN C. BEIERS

CHIEF DEPUTIES

KATHRYN E. MEOLA
JOHN D. NIBBELIN
PAUL A. OKADA
DAVID A. SILBERMAN

LEAD DEPUTIES

REBECCA M. ARCHER
AIMEE B. ARMSBY
CLAIRE A. CUNNINGHAM
JUDITH A. HOLIBER
DANIEL J. VALIM



COUNTY COUNSEL COUNTY OF SAN MATEO

HALL OF JUSTICE AND RECORDS • 6TH FLOOR
400 COUNTY CENTER • REDWOOD CITY, CA 94063-1662
TELEPHONE: (650) 363-4250 • FACSIMILE: (650) 363-4034

DEPUTIES

MELISSA D. ANDRIKOPOULOS
CRAIG N. BAUMGARTNER
PETER H. CRUZ
JAN E. ELLARD
NIRIT S. ERIKSSON
ADAM W. ELY
PETER K. FINCK
TIMOTHY J. FOX
TARA E. HEUMANN
JENNIFER S. KRASKE
BRIAN E. KULICH
DAVID A. LEVY
KIMBERLY A. MARLOW
JUSTIN W. MATES
SANDRA Z. NIERENBERG
KRISTINA M. PASZEK
KAREN ROSENTHAL
MONALI S. SHETH
MARGARET V. TIDES
BRIAN J. WONG

May 25, 2018

Please respond to: (650) 363-4762

Via U.S. mail and email (steve@roeserlaw.net)

Steven R. Roeser, Esq.
ROESER LAW, P.C.
1190 Chestnut Street
Menlo Park, CA 94025

*Re: Purissima Cemetery
Administrative Citation No. VIO2017-00320-001*

Dear Roeser:

Thank you for your letter of May 17, 2018. Before delving into the issue of recent development at the Purissima Cemetery (the "Cemetery"), it is not clear to me that (1) either of your clients, Edward Bixby ("Mr. Bixby") and the Purissima Cemetery Association (the "Association"), currently own the Purissima Cemetery (the "Cemetery"); (2) the Association continues to exist; or (3) Mr. Bixby has any legal authority to act on behalf of the Association. Could you please provide me documentation addressing those three issues?

Turning to the issue of recent development at the Cemetery, San Mateo County Zoning Regulation 6328.3(h) defines development as any "change in the density or intensity of use of land." While the continued storing of deceased persons historically buried at the Cemetery, and potentially even ongoing maintenance activities, may not constitute development, the recent green burials certainly do, as they constitute a change in the density or intensity of use. This change triggers the required permits set forth in the Administrative Citation dated May 3, 2018 (the "Citation").

Steven R. Roeser, Esq.
May 25, 2018
Page 2

Of course, your clients are free to appeal the Citation. I will deem your letter as a request for an appeal and hearing and will get back to you regarding a date and time. In the meantime, please provide me copies of the documentation requested above and do not hesitate to contact me to discuss this matter further.

Sincerely,

JOHN C. BEIERS, COUNTY COUNSEL

By: 

Brian E. Kulich, Deputy

JCB:BEK/

cc: Client
John D. Nibbelin, Chief Deputy



County of San Mateo - Planning and Building Department

ATTACHMENT I

June 26, 2018

Via E-Mail Only

Mr. Brian Kulich, Esq.
County of San Mateo, County Counsel
Email: bkulich@smcgov.org@smcgov.org

Re: Administrative Citation No. VIO2017-00320-001 and Appeal

Dear Mr. Kulich:

I write on behalf of my client Edward Bixby regarding the above citation and appeal. Thank you for your letter of May 25, 2018 and your patience with respect to our response, as I was on a paternity leave of sorts, my wife having gave birth to our second child in May. I hope to provide all information you have requested as well as answer your questions. Our hope is still to clear the matter up amicably, without the need for any hearing.

Please allow me to first address your three inquiries regarding (1) ownership of the Cemetery, (2) continued existence of the Association, and (3) Mr. Bixby's legal authority to act with respect to the Association.

With respect to ownership of the Cemetery, attached please find a recorded Notice of Claim of Adverse Possession, as well as title insurance, proof of payment of property taxes, and related property tax documentation. Mr. Bixby currently grants exclusive use to the Association, with the intent of giving fee title to the Association soon via quitclaim deed (see below).

With respect to the Purissima Cemetery Association, the Association has never ceased to exist. There are no documents on file with the California Secretary of State because the Association was created back in 1868. To properly document the continued existence of the Association, Mr. Bixby is filing Restated Articles of Incorporation (nonprofit mutual benefit corporation) for the Association. We will provide that state-endorsed document as soon as we receive it to address your inquiry as to the existence of the Association, along with action by written consent of the Association showing that Mr. Bixby is the acting President to address Mr. Bixby's authority to act on behalf of the Association.

It is our belief that the Association's continued use and operation of this site as a cemetery beneficial to the San Mateo County and Half Moon Bay communities due to its historical significance, value to the community as a cemetery, and the maintenance of the area it occupies. There has never been any issue with the continued operation of this cemetery since 1858. There is nothing new going on here other than our client taking greater interest in providing better maintenance for the continued use of this site through the long-standing Purissima Cemetery Association.

ROESER LAW, P.C.
1190 CHESTNUT STREET
MENLO PARK, CA 94025

ROESER LAW, P.C.
155 MONTGOMERY STREET, 12TH FLOOR
SAN FRANCISCO, CA 94104

O: 650.300.5778
F: 650.300.5779
E: STEVE@ROESERLAW.NET

The designation of a burial as a “green burial” is in substance no different than any other burial, and hence not a change in use.

We ask that the County simply do as they have always done and permit the continuing use of the parcel as a cemetery without the need for any further action by our client. Our client is happy to work with the County of San Mateo to make this site a better place for burials, and make it an even better resource and historical site associated with the County and Half Moon Bay area. He appreciates the reasonable approach the County has displayed to date.

Finally, our client will promptly submit the \$100 payment pending appeal. While we cannot attend a hearing on July 17, 2018, due to conflicting schedules between my client and I, we will circle back with potential hearing dates within the next week and see what will work for the County/your office. Please do not hesitate to contact me in the meantime with any questions or concerns.

Sincerely,

/s/ Steven Roeser

Steven R. Roeser, Esq.

cc: Client, Legal Team,

Enclosures



County of San Mateo - Planning and Building Department

ATTACHMENT J



Historic Purissima Cemetery

San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant:

Attachment:

File Numbers:



Most recently-identifiable grave (2001)

San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant: _____

Attachment: _____

File Numbers: _____



Ramp and sign from inspection of November 22, 2017

San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant:

Attachment:

File Numbers:



Other ramp, sign and gate, November 22, 2017

San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant:

Attachment:

File Numbers:



Sign posted on tree, November 22, 2017

San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant:

Attachment:

File Numbers:



Wooden shed, November 22, 2017

San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant:

Attachment:

File Numbers:



Grading, vegetation clearing, November 22, 2017

San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant:

Attachment:

File Numbers:



Another example of vegetation clearing

San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant:

Attachment:

File Numbers:



Natural Burial from April 16, 2018

San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant:

Attachment:

File Numbers:



Other recent natural burial, with wooden posts visible

San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant:

Attachment:

File Numbers:



Hearse on site during a burial in May 2018

San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant:

Attachment:

File Numbers:



Landscape rock delivered to site for further development

San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant: _____

Attachment: _____

File Numbers: _____



Landscape rocks after placement on site

San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant:

Attachment:

File Numbers:



Natural burial from June/July 2018, near creek drop off

San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant:

Attachment:

File Numbers:



Grading near creek drop off

San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant:

Attachment:

File Numbers:



Most recent burial, September 2018 - Before

San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant: _____

Attachment: _____

File Numbers: _____



Most recent burial, September 2018 - After

San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant:

Attachment:

File Numbers:



New sign advertising association with Universal Life Church, and newly installed bench, September 2018

San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant: _____

Attachment: _____

File Numbers: _____



County of San Mateo - Planning and Building Department

ATTACHMENT K

Office Depot



County of San Mateo
Planning and Building Department
COUNTY COURTHOUSE DISTRICT
400 County Center, 2nd Floor
San Mateo, CA 94403
Telephone: 650.350.9000

Administrative Citation

Date of Violation: September 13, 2018
 WARNING
 3rd Citation - \$500
Payment of \$ 200.00 is due no later than September 28, 2018

Case No. VIO0917-00030
Citation No. VIO0917-00332 - 002

Violator's Name: [Redacted]
Violation Address: [Redacted]
City: [Redacted]
County: [Redacted]
State: [Redacted]
Zip: [Redacted]

2nd Citation - \$200
Citation - \$500

Comments/Action Required by you:

Comments of Violator:

Comments of Planner:

Comments of Other:

Method of Delivery:
 Mailed in Person
 Posted on Property
 Other (Specify):

Date Issued: 9/13/18

DU CE NATURAL



County of San Mateo
 Planning and Building Department
 CODE COMPLIANCE DIVISION
 455 County Center 2nd floor
 Redwood City, CA 94063
 TELEPHONE NO. (650) 363-4825

Case No. VIO2017-00320
Citation No. VIO2017-00320 - 002

Administrative Citation

Date of Violation: September 13, 2018

WARNING
 1st Citation - \$100 per violation
 2nd Citation - \$200 per violation
 3rd Citation - \$500 (per violation and each violation within a 12-month period)
 Citation - \$500 per violation

Payment of \$ 200.00 is due no later than September 28, 2018 (see reverse side for payment and appeal information)

*This citation prohibits the continuation or repeated occurrence of the violation described below.
 Payment of the fine shall not excuse the failure to correct the violation nor shall it bar further enforcement by the County.*

Violation Address Purissima Cemetery, Verde Rd., North San Gregorio AKA: 1165 Verde Rd., #1, Half Moon Bay, CA 94019	Assessor's Parcel Number 066-180-060
Person Cited Edward Bixby II	Relationship of person being cited "Proprietor." Occupant of property and self-identified owner.
Mailing Address 327 Marshallville Rd., Woodbine, New Jersey 08270	Business (if applicable) "Steelmantown Cemetery & Purissima Natural Burial Grounds"

Code Section Violated		Description of Violation
Name of Code	Section of Code	
1.	San Mateo Co. Zoning Regs. 6328, et seq.	Development without Necessary Permits (Coastal Development Permit, Planned Agricultural Permit, and Use Permit). *** <u>Continuing Violations</u> – Multiple burials and further development have occurred since the first citation was issued on May 3, 2018. ***
2.		

Corrections/Actions required by you:

Immediately cease all burials/Stop all development. Contact the San Mateo County Planning and Building Dept. to apply for 1) A Coastal Development Permit, 2) A Planned Agricultural District Permit, and 3) A Use Permit for the development conducted on the property and any proposed development for the future.

Complete the above corrections by September 28, 2018. Failure to comply by this date may result in the issuance of the next level citation and/or other enforcement actions.

Enforcing Officer Tim Sullivan	Phone Number 650-599-5901	Signature	Date issued 9/13/18
--	-------------------------------------	------------------	-------------------------------

Method of Delivery
 In Person
 Posted on Property
 By Mail
 Other Email

ADMINISTRATIVE CITATIONS

PLEASE READ CAREFULLY

AVISO IMPORTANTE: SI DESEA UNA TRADUCCIÓN, FAVOR DE LLAMAR AL NÚMERO (650) 363-4825

San Mateo County Code of Ordinances Section 1.40.050 provides for the issuance of Administrative Citations for violations of the Code. There are four levels of citations that may be issued progressively for a violation. The levels, as indicated on the front of the citation, are a Warning, a First Citation - \$100, a Second Citation - \$200, and a Third and subsequent Citations - \$500 for violations of the same San Mateo County code section within a 12-month period. Fines are per violation and are cumulative.

A. RIGHTS OF APPEAL

You have the right to contest the fact that the violation existed or that you are not the responsible party for said violation. The appeal must be made within 14 days from the date of the Administrative Citation. Within 14 days of issuance of the citation, you must submit a Request for Hearing Form along with a processing fee and an advance deposit of the Administrative Citation penalty.

A Request for Hearing Form may be obtained from the Planning and Building Department and the person specified on the Administrative Citation. The Request for Hearing Form shall include a brief statement of material facts supporting the appellant's claim that no violation occurred or no penalties or other remedies shall be imposed.

A valid and complete Request for Hearing will result in an Administrative Appeal Hearing.

A warning, if issued, does not incur a fine and, therefore, cannot be appealed.

B. HOW TO PAY FINE

The amount of the fine is indicated on the front of the administrative citation and is due within 14 days of the issue date of the citation. You may pay by mail or in person. Payment should be made by credit card, personal check, cashier's check, or money order payable to the County of San Mateo. Payment should be made at the address below. Please write the citation number on your check or money order.

County of San Mateo
Planning and Building Department
455 County Center 2nd floor
Redwood City, CA 94063
Attention: Code Compliance / Administrative Citations

Payment of any fine shall not excuse the failure to correct the violation nor shall it stop further enforcement by the County.

C. CONSEQUENCES FOR FAILURE TO PAY THE FINE

If the fine is not paid within 14 days of the issue date of the citation, the County may collect any past due administrative citation penalty, late payment charge, and costs of collection by use of any and all available legal means.

D. CONSEQUENCES OF FAILURE TO CORRECT VIOLATIONS

There are numerous other enforcement options that may be used to encourage correction of violations. These options include, but are not limited to: criminal prosecution, civil litigation, abatement, recording the violation with the County Recorder, and forfeiture of certain benefits for substandard residential rental property.

If you need further information about the violation and/or how to comply, please call the officer designated on the front of the citation.

AVISO IMPORTANTE: SI DESEA UNA TRADUCCIÓN, FAVOR DE LLAMAR AL NÚMERO (650) 363-4825



County of San Mateo - Planning and Building Department

ATTACHMENT L

APPLICABLE CODES

CHAPTER 20B. "CD" DISTRICT (COASTAL DEVELOPMENT DISTRICT)

SECTION 6328.3. DEFINITIONS. For the purpose of this Chapter, certain terms used herein are defined as follows:

(h) "Development" means, on land ... the placement or erection of any solid material or structure; ... grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land ...; construction, reconstruction, demolition, or alteration of the size of any structure ...; and the removal or harvesting of major vegetation other than for agricultural purposes ...

(r) "Project" means any development (as defined in Section 6328.3(h)) as well as any other permits or approvals required before a development may proceed. Project includes any amendment to this Part, any amendment to the County General Plan, and any land division requiring County approval.

SECTION 6328.4. REQUIREMENT FOR COASTAL DEVELOPMENT PERMIT. Except as provided by Section 6328.5, any person, partnership, corporation or state or local government agency wishing to undertake any project, as defined in Section 6328.3(r), in the "CD" District, shall obtain a Coastal Development Permit in accordance with the provisions of this Chapter, in addition to any other permit required by law. Development undertaken pursuant to a Coastal Development Permit shall conform to the plans, specifications, terms and conditions approved or imposed in granting the permit. (...)

SECTION 6328.5. EXEMPTIONS. The projects listed below shall be exempt from the requirement for a Coastal Development Permit. Requirements for any other permit are unaffected by this section. (a) The maintenance, alteration, or addition to existing single-family dwellings; however, the following classes of development shall require a permit because they involve a risk of adverse environmental impact: (...)

(Cemeteries are not an expressly listed exemption)

CHAPTER 21A. "PAD" DISTRICT (PLANNED AGRICULTURAL DISTRICT)

SECTION 6352. USES PERMITTED. The following uses are permitted in the PAD:

(Cemeteries are not an expressly allowed use)

SECTION 6353. USES PERMITTED SUBJECT TO THE ISSUANCE OF A PLANNED AGRICULTURAL PERMIT. The following uses are permitted in the PAD subject to the issuance of a Planned Agricultural Permit, which shall be issued in accordance with the criteria set forth in Section 6355 of this ordinance. (...)

(Cemeteries are not an expressly allowed use, even with a use permit)

APPLICABLE CODES

CHAPTER 4. ZONING NONCONFORMITIES SECTIONS

SECTION 6132. DEFINITIONS.

4. Enlarged. The state of a land use or structure after it has been expanded to cover more land area, consume more air space, or increase its intensity on the site.

SECTION 6134. NON-CONFORMING USES.

5. Enlargement of Non-Conforming Uses (Except Residential). A non-conforming use may not be enlarged. This provision does not apply to residential uses.

SECTION 6137. EXCEPTIONS.

1. The Planning Commission, at a public hearing, may grant a use permit to except any provision in this Chapter which restricts the continuation, enlargement, reestablishment or replacement of a non-conforming use, structure or situation. The use permit shall be processed in accordance with the procedures and requirements of Section 6503. Notwithstanding the provisions of this subsection 1, no use permit may be granted to exceed maximum floor area, height, and parcel coverage for parcels located in the Midcoast. 4.10

2. The Planning Director may grant an administrative exception to any provision of this Chapter when it conflicts with another government mandated requirement.



County of San Mateo - Planning and Building Department

ATTACHMENT M

ATTACHMENT M

FILE HISTORY

- For complete San Mateo Code Compliance File History, please see:

<https://aca.accela.com/SMCGOV/Default.aspx> (“Planning and Code Compliance” search option, APN: “066180060,” and Case Number: “VIO2017-00320.”)

BACKGROUND RESOURCES

<http://www.interment.net/data/us/ca/sanmateo/purissima/index.htm>

<https://www.findagrave.com/cemetery/2149271/purissima-cemetery>

<http://www.halfmoonbaymemories.com/2008/03/24/purissima-cemeteryjohn-purcells-gift/>

https://www.hmbreview.com/news/purissima-is-a-place-from-which-even-ghosts-have-departed/article_bfe13bf0-3ab5-561a-8715-3ac84ac10c99.html

<http://wanderinggyrabit.blogspot.com/2008/11/abandoned-cemetery-purissima-in-half.html>

<http://smcgs.blogspot.com/2012/09/purissima.html>

<https://highway92succulents.com/make-it-a-day-trip/ghost-town-purissima-purissima-cemetery/>

<https://sanfrancisco.cbslocal.com/2017/11/01/new-green-burial-cemetery-operating-san-mateo-county/>

https://www.smdailyjournal.com/news/local/new-interest-in-purissima-cemetery/article_cd410ad6-e398-11e7-b157-f3b9f7a7a6ec.html

<https://cemeterytravel.com/2018/03/21/cemetery-of-the-week-164-purissima-cemetery/>

<http://fcasocal.org/green-burial-cemeteries-in-california.html>