

SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



FROM: TLMA - Planning Department

SUBMITTAL DATE:
January 11, 2005

SUBJECT: Adoption of Resolution No. 2005-7, Enlargement of Bautista Canyon Agricultural Preserve No. 2, Amendment No. 8, Map No. 906 – Owner: Gary L. McMillan and Patricia McMillan – 26.52 acres – Bautista Zoning Area – Third Supervisorial District

CONTROVERSIAL ISSUES: None

RECOMMENDED MOTION:

THE COMPREHENSIVE AGRICULTURAL PRESERVE TECHNICAL ADVISORY COMMITTEE,
BY UNANIMOUS VOTE, RECOMMENDS:

APPROVAL of the enlargement of Bautista Canyon Agricultural Preserve No. 2, Amendment No. 8, Map No. 906, based upon the hereinafter listed findings and conclusions.

In the event that the Board approves the enlargement of the agricultural preserve, Planning staff further recommends that the Board:

ADOPT Resolution No. 2005-7 enlarging Bautista Canyon Agricultural Preserve No. 2;

AUTHORIZE the Chairman of the Board of Supervisors to execute the attached land conservation contract for the real property located within the enlargement of Bautista Canyon Agricultural Preserve No. 2;

Robert C. Johnson
Planning Director

RCJ:kb

(Continued On Attached Pages)

REVIEWED BY EXECUTIVE OFFICE
[Signature]
DATE 2/1/05

Departmental Concurrence

Dep't Recomm.: Consent Policy
Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref.

District: Third

Agenda Number:

16.7

The Honorable Board of Supervisors

RE: Adoption of Resolution No. 2005-7, Enlargement of Bautista Canyon Agricultural Preserve No. 2, Amendment No. 8, Map No. 906

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DIRECT the Clerk of the Board to record the contract with the County Recorder and file a copy of said recorded contract with the Riverside County Planning Department.

FINDINGS:

1. The two parcels are generally located in the lower San Jacinto Valley and, more specifically, the 26.52 acres are located north of and adjacent to Stetson Avenue, south of and adjacent to Johnston Avenue, easterly of Pleasant Street and westerly of Bautista Avenue.
2. Under the County's Rules and Regulations Governing Agricultural Preserves, the enlargement of an agricultural preserve requires that the land being added to a preserve must be at least 10 acres in size and must be contiguous to that preserve. The subject parcels total 26.52 acres, meeting the size requirement and is contiguous to Bautista Canyon Agricultural Preserve No. 2.
3. The two parcels are located in the San Jacinto Valley Area Plan (SJVAP) and are designated Agriculture with Potential Development Study Area Overlay on the land use allocation map for the SJVAP. The Agriculture designation permits open space, agriculture, and associated land uses (including limited commercial, industrial, single-family residential and farm workers housing). The proposed enlargement of the agricultural preserve is consistent with the property's Agriculture designation.
4. Surrounding properties to the north and south are also designated Agriculture with Potential Development Study Area Overlay. The City of Hemet is located approximately 1.1 miles north of the closest parcel and both parcels are located within the City's Sphere-of-Influence. Areas to the east are similarly designated Agriculture and to the west Agriculture, Very-Low Density Residential – Rural Community (VLDR-RC) and Low-Density Residential – Rural Community (LDR-RC), all with the Agriculture - Potential Development Study Area Overlay. The proposed enlargement of the agricultural preserve is consistent with surrounding land use designations.
5. The subject parcels are currently zoned Light Agriculture with a 10 acre minimum lot size (A-1-10). Under the County's Rules and Regulations Governing Agricultural Preserves, only land having an agricultural zoning, i.e., A-1, A-P, A-2, A-D, or C/V, may be included within an agricultural preserve. The subject property meets this zoning requirement.
6. Areas adjacent to the subject parcels on the north, south, and east are also zoned A-1-10. Areas to the west are zoned A-1-10 and Light Agriculture with a 1 acre minimum lot size (A-1-1). The proposed enlargement of the agricultural preserve is consistent with the surrounding zoning.

The Honorable Board of Supervisors

RE: Adoption of Resolution No. 2005-7, Enlargement of Bautista Canyon Agricultural Preserve No. 2, Amendment No. 8, Map No. 906

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7. The agricultural use on the subject parcels is grapefruit grove, consisting of newly planted trees. The majority of surrounding properties also are being used for agricultural production.
8. Class I and Class II soils underlie one hundred percent of the subject property. Additionally, a Soil Conservation Plan has been prepared for the property.
9. The last annual assessed valuation of the subject parcels was \$250,254.00. The Assessor's Office has estimated that the assessed valuation of the property would decrease by \$195,186.00, if the property were subject to a Land Conservation Contract.
10. There is no evidence that the land proposed to be included in the preserve has any historic value and there are no historical structures on the site. The Riverside County General Plan Archaeological Sensitivity Map does not indicate that the subject parcels are located near an area of known historical resources and, although the Paleontological Sensitivity Map indicates that the general area of the subject parcels has a low to high probability of containing paleontological resources, both parcels support existing groves and prior land use most likely involved some type of agriculture. Impacts on paleontological resources are not expected from enlarging Bautista Canyon Agricultural Preserve No. 2 to include the proposed parcels.
11. There are a number of State Eligible Routes and County Eligible Routes within the project area. State Highways 74, 79 and 243 are within the general vicinity of the subject parcels; however, neither parcel is located within a designated scenic corridor nor are there any scenic resources evident on the subject parcels. The topography in the project area and the nature of the proposed use do not present significant potential for the obstruction of any scenic vista, or the creation of an aesthetically offensive site open to public view. No impacts to scenic resources are expected from the proposed enlargement of the Bautista Canyon Agricultural Preserve No. 2.

CONCLUSION:

1. The enlargement of Bautista Canyon Valley Agricultural Preserve No. 2, Amendment No. 8, Map No. 906, is consistent with the Riverside County General Plan.
2. The enlargement of Bautista Canyon Valley Agricultural Preserve No. 2, Amendment No. 8, Map No. 906, is consistent with the zoning on the property.
3. The enlargement of Bautista Canyon Valley Agricultural Preserve No. 2, Amendment No. 8, Map No. 906, is consistent with the provisions of the Land Conservation Act of 1965 (Williamson Act) and with the Rules and Regulations Governing Agricultural Preserves in Riverside County.

Supervisor Stone
 District 3
 DATE DRAWN: 1/28/05

AG00906
VICINITY MAP

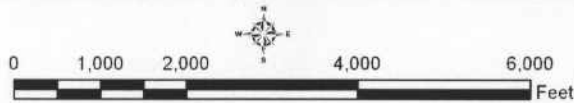
Planner: Kathleen Brown
 Date: 2/15/05
 Exhibit 5



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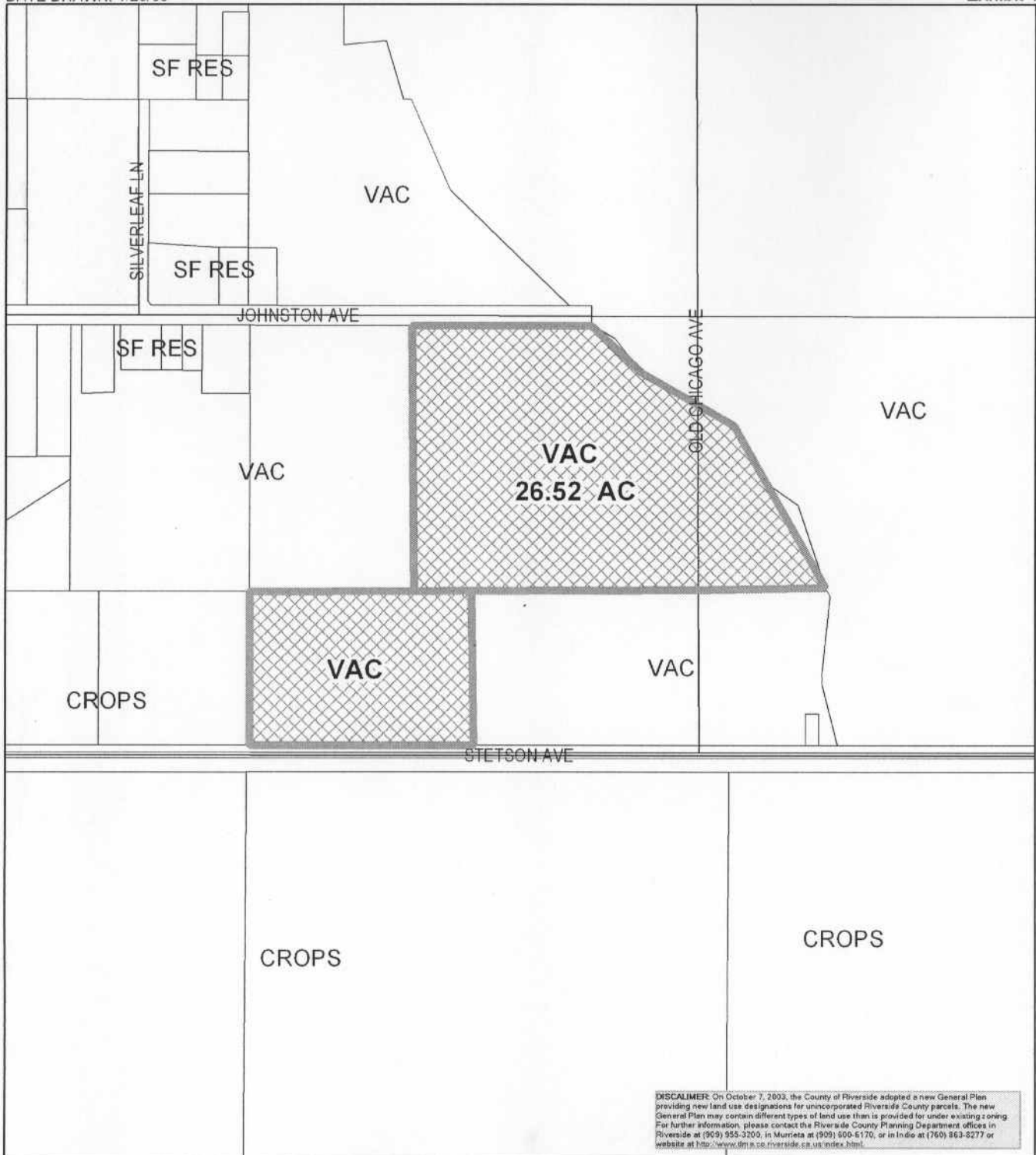
RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
 District: **Bautista**
 Township/Range: T5SR1E
 Section: 17



ASSESSORS **552-17**
 BK. PG.
 THOMAS **841 H2**
 BROS.PG

DATE DRAWN: 1/25/05



RIVERSIDE COUNTY PLANNING DEPARTMENT

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District: **Bautista**
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Supervisor Stone
District 3

DATE DRAWN: 1/25/05

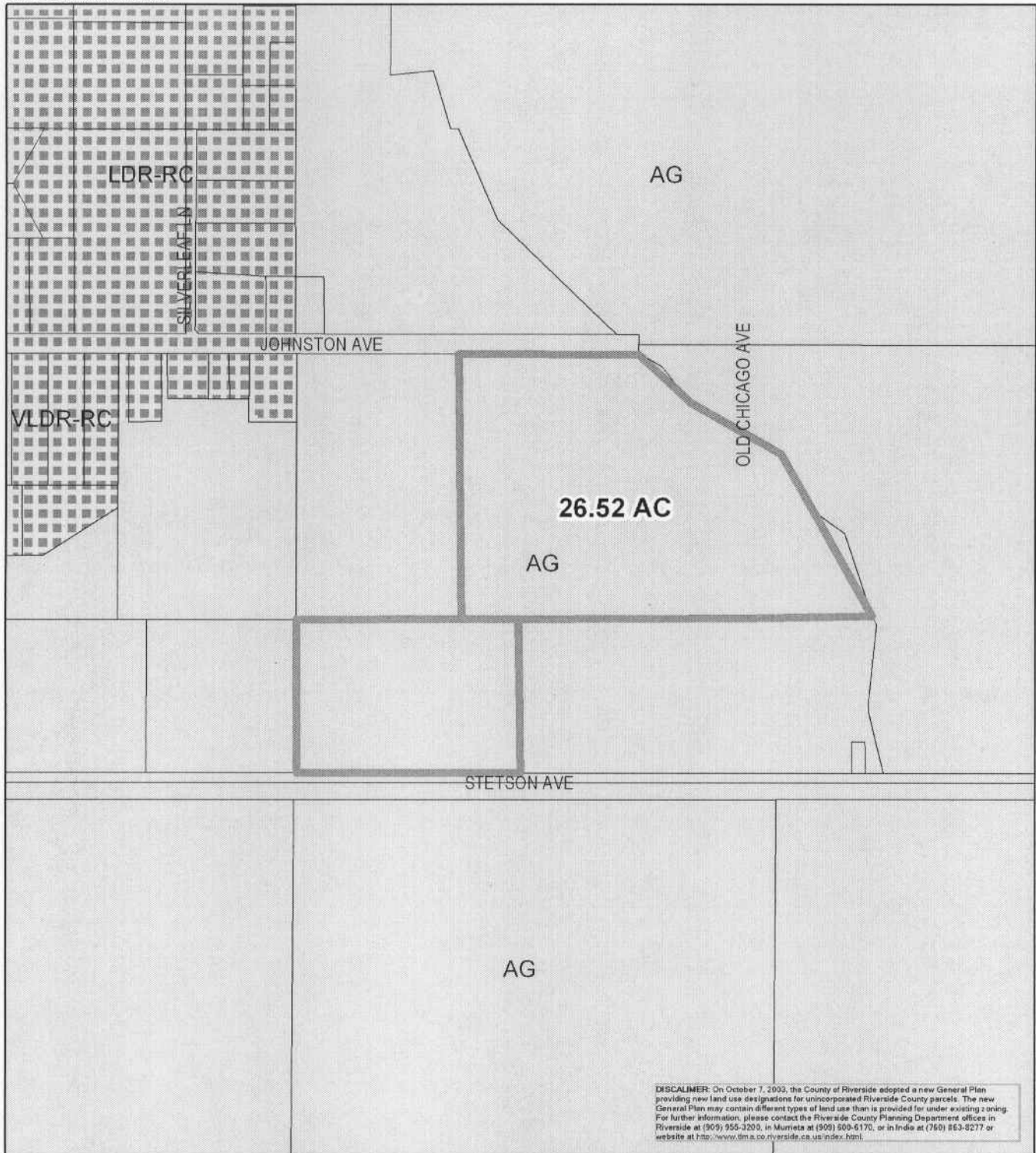
AG00906

General Plan

Planner: Kathleen Browne

Date: 2/15/05

Exhibit 5

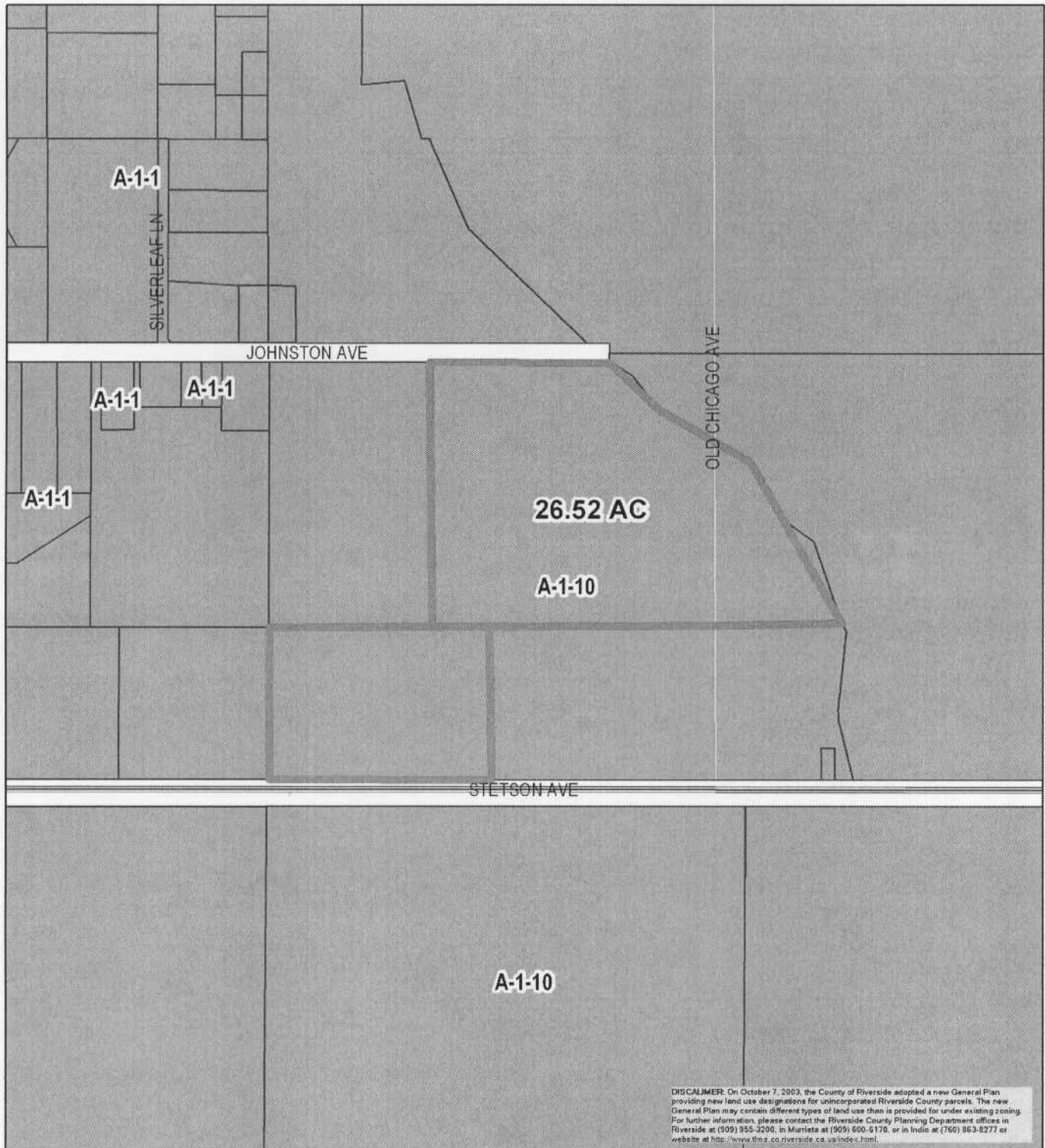


RIVERSIDE COUNTY PLANNING DEPARTMENT

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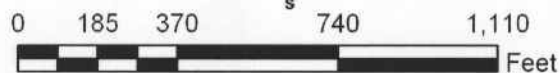


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BROS.PG **841 H2**



RIVERSIDE COUNTY PLANNING DEPARTMENT

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District: **Bautista**
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BROS.PG 841 H2

Supervisor Stone
District 3

AG00906

Planner: Kathleen Browne

Date: 2/15/05

DATE DRAWN 1/25/05

DEVELOPMENT OPPORTUNITY

Exhibits Overview



RIVERSIDE COUNTY PLANNING DEPARTMENT

Area
Plan: **Bautista**

Township/Range: T5SR1E
SECTION: 17



ASSESSORS 552-17
BK. PG.
THOMAS 841 H2
BROS.PG



2
3 **RESOLUTION NO. 2005-7**

4 **ENLARGING AN AGRICULTURAL PRESERVE**

5
6 **BE IT RESOLVED**, by the Board of Supervisors of the County of Riverside, State of
7 California, in regular session assembled on February 15, 2005, that, pursuant to the
8 California Land Conservation Act of 1965 (Government Code Section 51200 et seq.), the
9 Bautista Canyon Agricultural Preserve No. 2, Map No. 147, is amended by adding thereto
10 the area shown on the map entitled, "BAUTISTA CANYON AGRICULTURAL
11 PRESERVE NO. 2, AMENDMENT NO. 8, (ENLARGEMENT), MAP NO. 906," and
12 described by boundary description thereof, said map and description both being on file in
13 the office of the Clerk of this Board.

14 **BE IT FURTHER RESOLVED, FOUND AND DETERMINED** that the enlargement
15 of this agricultural preserve is consistent with the General Plan for Riverside County.

16 **BE IT FURTHER RESOLVED** that the Clerk of this Board shall endorse the fact of
17 this adoption and the date thereof on said map and shall file copies of this resolution, said
18 map and said boundary description with the County Recorder, Riverside County,
19 California, with the Director of Conservation, State of California, and with the Office of the
20 Assessor of Riverside County, California.

FORM APPROVED
COUNTY COUNSEL

JAN 11 2005

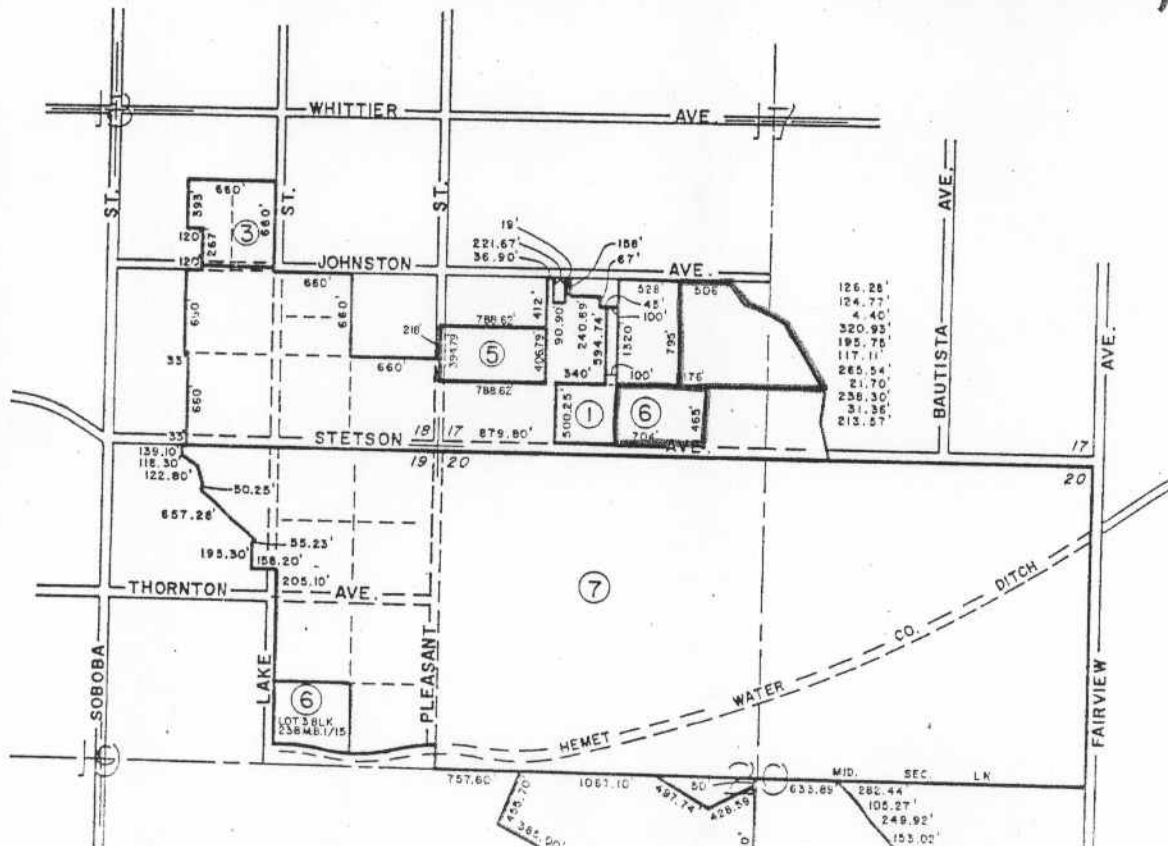
BY 

658
906

MAP NO. 147 BAUTISTA CANYON AGRICULTURAL PRESERVE NO. 2

T. 5S, - R. 1E.

AMENDED BY MAP NO. 257, 276, 453, 467, 472, 590, 658, 906



AMENDMENTS

- NO. 1, (ENLARGEMENT), SEPT. 25, 73, MAP NO. 257
- NO. 2, (ENLARGEMENT), DEC. 11, 1973, MAP NO. 276
- NO. 3, (DIMINISHMENT), AUTHORIZED ON FEB. 28, 1978
- NO. 4, (ENLARGEMENT), FEB. 14, 1978, MAP NO. 467
- NO. 5, (DIMINISHMENT), AUTHORIZED ON MAY 9, 1978
- NO. 6, (DIMINISHMENT), MAY 7, 1985 MAP NO. 590
- NO. 7, (DIMINISHMENT), APRIL 11, 1989, MAP NO. 658

ADOPTED ON JANUARY 18, 1972
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA.

No. 8,



EXHIBIT A
BAUTISTA CANYON AGRICULTURAL PRESERVE NO. 2
MAP NO. 906
(ENLARGEMENT)

PARCEL 1:

All that portion of Lot 118 of Lands of the Fairview Land and Water Company, as shown by map on file in Book 6, Page(s) 307 of Maps, Records of San Diego County, California, described as follows:

Beginning at the Southwest corner of said Lot;
Thence East along the South line of said Lot, 704 feet;
Thence North 0° 13' East 495 feet;
Thence at right angles West 704 feet to the West line of said Lot;
Thence South 0° 13' West along the West line of said Lot, 495 feet to the point of beginning;

Except a strip 30 feet wide along the South side thereof for extension of Stetson Avenue;

Together with an undivided $\frac{1}{2}$ of $14\frac{1}{2}$ 180ths interests in and to that portion of Lot 119 of the Lands of the Fairview Land and Water Company, as shown by map on file in Book 6, Page(s) 307 of Maps, Records of San Diego County, California, as follows:

Beginning at a point in the South line of said Lot 119, being in the center line of Stetson Avenue, distant 313.50 feet Easterly along said Line from its intersection with the center line of Chicago Avenue;
Thence North 129.7 feet;
Thence East 40.00 feet;
Thence South 129.7 feet;
Thence West 40.00 feet along the South line of said Lot to the point of beginning.

PARCEL 3:

All that portion of Lots 118 and 119 of Land of Fairview Land and Water Company as shown by map on file in Book 6, Page(s) 307 of Maps, Records of San Diego County, California, described as follows:

Beginning at a point on the North line of said Lot 118, said point being in the center line of Walnut Avenue; and distant 528 feet East of the Northwest corner of said Lot;
Thence South 0° 00' 13" West 825 feet;
Thence East 1248.80 feet;
Thence North 29° 51' West 563.10 feet;

Thence North 61° 12' West 324.70 feet;
Thence North 43° 59' West 249.70 feet to the center line of Walnut Avenue;
Thence West along said center line of Walnut Avenue 506.70 feet to the point of beginning;

Except the portion included in Walnut Avenue.

| Assessor's Parcel No. | Acres (net) | Owners |
|------------------------------|------------------------|--|
| 552-170-006-6 | 7.52 | Gary L. McMillan and Patricia McMillan |
| 552-170-002-2 | 19.00 | Gary L. McMillan and Patricia McMillan |
| | | |
| Total | 26.52 | |