

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

719B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
April 12, 2007

SUBJECT: ADOPTION OF RESOLUTION NO. 2007-129, AGRICULTURAL PRESERVE
CASE NO. 964 – CEQA Exempt – Applicant: George and Margaret Zivelonghi – First
Supervisorial District – Rancho California Zoning Area – Southwest Area Plan – Location: Near
the Riverside/San Diego County line, southerly of Carancho Road, easterly of Los Gatos Road
and westerly of El Calamar Road – 9.82 Acres – Zoning: Light Agriculture - 10 Acre Minimum
(A-1-10) – REQUEST: To enlarge the affected agricultural preserve and enter the property
located within the enlargement area into a Land Conservation Contract.

CONTROVERSIAL ISSUES: None

RECOMMENDED MOTION:

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

APPROVAL of the enlargement of Rancho California Agricultural Preserve No. 19,
Amendment No. 9, Map No. 964, 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. 2007-129 enlarging Rancho California Agricultural Preserve
No. 19;

Ron Goldman
Planning Director

RG:kb

(Continued On Attached Pages)

REVIEWED BY EXECUTIVE OFFICE

FORM APPROVED
COUNTY COUNSEL

DATE 3/12/07
Departmental Concurrence
MAR 12 2007
Executive Office

Policy

Policy

Consent

Consent

Dep't Recomm.:

Per Exec. Ofc.:

Prev. Agn. Ref.

District: First

Agenda Number:

RECEIVED RIVERSIDE COUNTY
MAY 13 AM 8:18

The Honorable Board of Supervisors

RE: ADOPTION OF RESOLUTION NO. 2007-129, AGRICULTURAL PRESERVE CASE NO. 964

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AUTHORIZE the Chairman of the Board of Supervisors to execute the attached land conservation contract for the real property located within the enlargement area of Rancho California Agricultural Preserve No. 19;

DIRECT the Clerk of the Board to record the contract with the County Recorder and transmit copies thereof to the Riverside County Planning Department, the Director of Conservation, State of California, and the Office of the Assessor of Riverside County.

FINDINGS:

1. The 9.82-acre (net) parcel is located in the southwestern portion of Riverside County near the Riverside/San Diego County line, southerly of Carancho Road, easterly of Los Gatos Road and westerly of El Calamar Road.
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, contiguous to that preserve and have agricultural zoning, as defined by said Rules and Regulations. The subject property is 9.82 acres (net), its gross acreage meeting the size requirement; is contiguous to Rancho California Agricultural Preserve No. 19; and, is properly zoned for inclusion into an agricultural preserve.
3. The parcel is designated Rural Mountainous (RM) on the land use allocation map for the Southwest Area Plan and is located within the Santa Rosa Plateau Policy Area. The Rural Mountainous designation permits residential and recreational uses, agriculture, and resource development. The proposed enlargement of the agricultural preserve is consistent with the property's Rural Mountainous designation.
4. Adjacent properties to the north, south, east and west are designated Rural Mountainous. The proposed enlargement of the agricultural preserve is consistent with surrounding land use designations.
5. The subject property is currently zoned Light Agriculture – 10 acres minimum lot size (A-1-10). Under the County's Rules and Regulations Governing Agricultural Preserves, only land having an agricultural zoning, i.e., Light Agriculture (A-1), Light Agriculture with Poultry (A-P), Heavy Agriculture (A-2), Agriculture-Dairy (A-D), or Citrus/Vineyard (C/V), may be included within an agricultural preserve. The subject property meets this zoning requirement.
6. Areas adjacent to the subject parcel on the north, south, east and west are zoned A-1-10, A-1-20, Residential Agriculture (R-A) with a variety of minimum lot sizes and Rural Residential (R-R). The proposed enlargement of the agricultural preserve is consistent with the surrounding zoning.

The Honorable Board of Supervisors

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7. The agricultural use on the subject parcel is avocado grove, consisting of older trees. Surrounding properties support single family residential and agricultural uses, consisting of avocado, grapefruit and lemon groves.
8. Class VII and Class VIII soils underlie one hundred percent of the subject property. No Soil Conservation Plan has been prepared for the property.
9. The last annual assessed valuation of the subject parcel was \$388,180.00. The Assessor's Office has estimated that the assessed valuation of the property would decrease by \$353,998.00, if the parcel were subject to 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 parcel is located near an area of known historical and/or archaeological resources and the Paleontological Sensitivity Map indicates that the general area of the subject parcel has a low probability of containing paleontological resources. The subject parcel supports an existing grove. Impacts on paleontological resources are not expected from enlarging Rancho California Agricultural Preserve No. 19 to include the proposed parcel.
11. The subject parcel is not located near a roadway identified as State Eligible for designation as State Scenic Highway, within a designated scenic corridor nor is there evidence of any scenic resources. The topography in the project area and the nature of the existing 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 Rancho California Agricultural Preserve No. 19.

CONCLUSION:

1. The enlargement of Rancho California Agricultural Preserve No. 19, Amendment No. 9, Map No. 964, is consistent with the Riverside County General Plan.
2. The enlargement of Rancho California Agricultural Preserve No. 19, Amendment No. 9, Map No. 964, is consistent with the zoning on the property.
3. The enlargement of Rancho California Agricultural Preserve No. 19, Amendment No. 9, Map No. 964, 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.

RESOLUTION NO. 2007-129

ENLARGING AN AGRICULTURAL PRESERVE

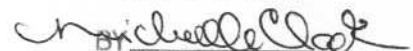
BE IT RESOLVED, by the Board of Supervisors of the County of Riverside, State of California, in regular session assembled on April 17, 2007, that, pursuant to the California Land Conservation Act of 1965 (Government Code Section 51200 et seq.), the Rancho California Agricultural Preserve No. 19, Map No. 355, is amended by adding thereto the area shown on the map entitled, "RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 19, AMENDMENT NO. 9, (ENLARGEMENT), MAP NO. 964," and described by boundary description thereof, said map and description both being on file in the office of the Clerk of this Board.

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

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

FORM APPROVED
COUNTY COUNSEL

MAR 12 2007


BY Michelle

PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN, certify that on
(Print Name)

AG00964 3/7/07 the attached property owners list
(APN or Case #) (Date)

was prepared by RIVERSIDE COUNTY
(Print Company or Individual's Name)

pursuant to application requirements furnished by the Riverside County Planning Department. Said list is a complete and true compilation of the owners of the subject property and all other property owners within ~~600~~²⁴⁰⁰ feet of the property involved, or if that area yields less than 25 different owners, all property owners within a notification area expanded to yield a minimum of 25 different owners, to a maximum notification area of 2,400 feet from the project boundaries, based upon the latest equalized assessment rolls. If the project is a subdivision with identified off-site access/improvements, said list includes a complete and true compilation of the names and mailing addresses of the owners of all property that is adjacent to the proposed off-site improvement/alignment.

I further certify that the information filed is true and correct to the best of my knowledge. I understand that incorrect or incomplete information may be grounds for rejection or denial of the application.

NAME: VINNIE NGUYEN

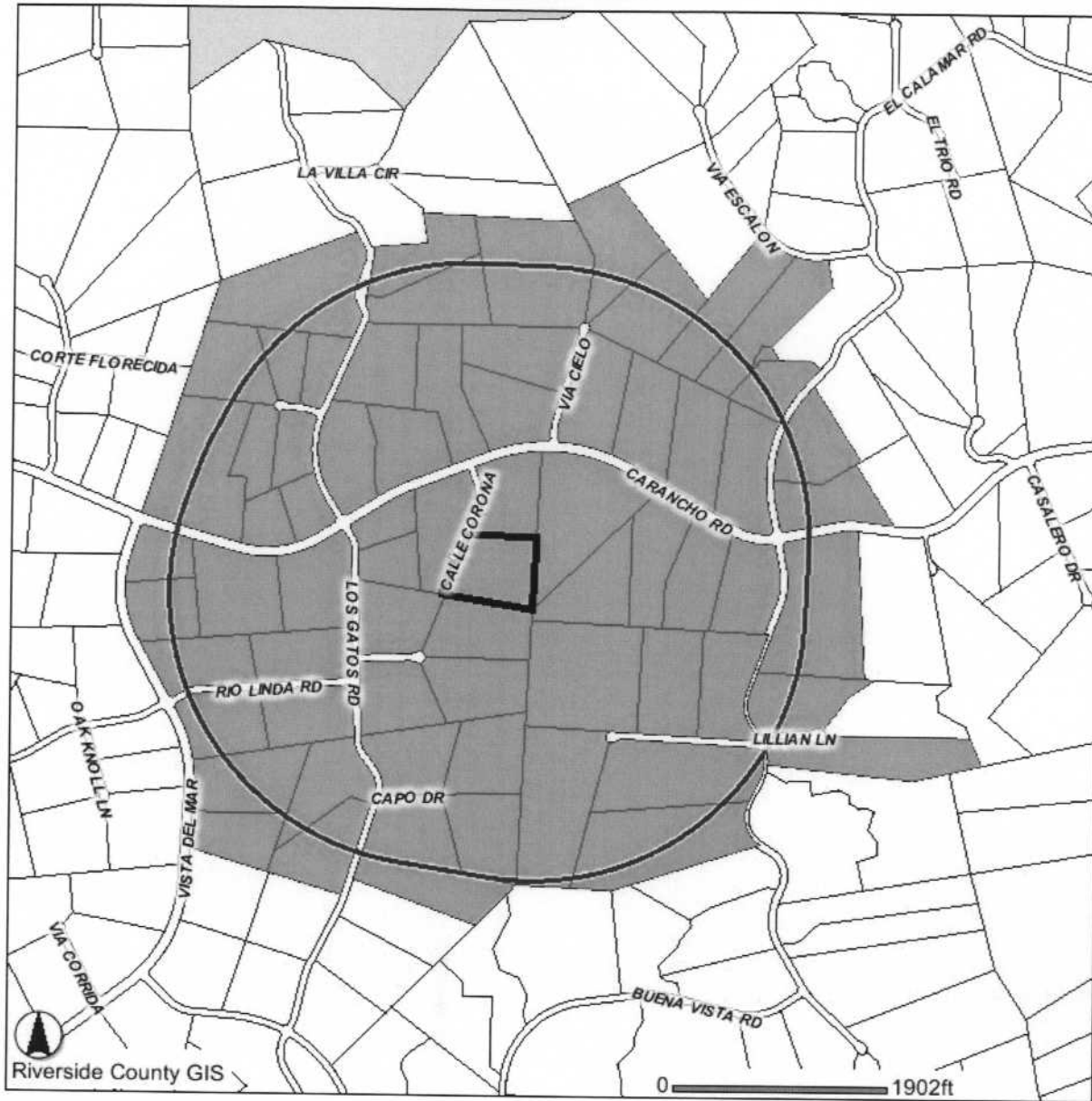
TITLE/REGISTRATION: GIS ANALYST

ADDRESS: 4080 LEMON ST

RIVERSIDE, CA 92502

TELEPHONE (8 a.m. - 5 p.m.): (909) 955-8158

2400 foot buffer



Selected parcel(s):

- | | | | | | | |
|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| 933-050-015 | 933-050-022 | 933-050-023 | 933-050-036 | 933-050-038 | 933-050-039 | 933-060-012 |
| 933-060-016 | 933-060-017 | 933-060-024 | 933-060-026 | 933-060-027 | 933-070-020 | 933-070-024 |
| 933-070-025 | 933-070-026 | 933-070-041 | 933-070-042 | 933-070-043 | 933-070-044 | 933-070-045 |
| 933-070-047 | 933-070-048 | 933-070-049 | 933-070-050 | 933-070-052 | 933-070-053 | 933-070-054 |
| 933-070-055 | 933-070-056 | 933-070-057 | 933-070-058 | 933-070-059 | 933-070-060 | 933-070-061 |
| 933-070-062 | 933-070-063 | 933-070-064 | 933-070-065 | 933-070-066 | 933-070-067 | 933-070-068 |
| 933-070-069 | 933-070-070 | 933-070-071 | 933-070-072 | 933-070-079 | 933-070-080 | 933-070-081 |
| 933-070-082 | 933-070-083 | 933-070-084 | 933-070-085 | 933-070-086 | 933-070-087 | 933-080-022 |
| 933-080-027 | 933-080-028 | 933-120-009 | 933-120-032 | 933-120-033 | 933-120-034 | 933-120-038 |
| 933-120-039 | 933-120-040 | 933-120-041 | 933-120-042 | 933-120-043 | 933-120-050 | 933-120-051 |

AG00964 – RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 19

Findings:	Planning	Ag. Commissioner	Cooperative Extension	Natural Resource Conservation District	Assessor
<p>1. Present zoning of lands proposed to be included in the preserve and surrounding land.</p>	<p>Site: Light Agriculture – 10 acre minimum (A-1-10) N: A-1-10, R-A-5, R-A-10 S: A-1-10, R-A-5, R-A-20, R-R E: A-1-10, A-1-20, R-A-5, R-A-10, R-A-20, R-R W: R-R, R-A-5, R-A-10, R-A-20, A-1-5</p>	<p>Same</p>	<p>Same</p>	<p>Same</p>	<p>Same</p>
<p>2. Present land use of land proposed to be included in the preserve and surrounding properties.</p>	<p>Site: Avocado grove, citrus Surrounding: Groves, SFR</p>	<p>Avocado, Citrus</p>	<p>Avocado groves, citrus, agricultural uses</p>	<p>Same</p>	<p>Same</p>
<p>3. Whether or not the land proposed to be included in the preserve is presently employed in an agricultural use and, if so, the agricultural commodities grown thereon.</p>	<p>Yes, avocados</p>	<p>Yes, avocado, citrus</p>	<p>Yes, avocado</p>	<p>Same</p>	<p>Same</p>
<p>4. The agricultural commodities that may be grown on the property proposed to be included in the preserve taking into consideration the soil type, water availability and other conditions that may affect the growing of crops.</p>		<p>Avocado, citrus</p>	<p>Avocado, citrus, perennial flower crops, subtropical tree crops</p>	<p>Same</p>	<p>Same</p>

Findings:	Planning	Ag. Commissioner	Cooperative Extension	Natural Resource Conservation District	Assessor
5. Whether or not the existing or proposed agricultural use of the land constitutes or could constitute a nuisance, public or private, to the surrounding lands.	Adjacent land are zoned agricultural (A-1-5, -10, -20), and low density residential (R-A-5, -10, -20 and R-R). Properties in the vicinity are within an agricultural preserve. The use proposed is similar to that of surrounding areas and does not or will not constitute a nuisance.	No	Use is consistent with adjacent properties and does not constitute a nuisance	No	No
6. The current assessed valuation and the estimated reduction in assessed valuation if the real property proposed to be included in the preserve enters into a land conservation contract.	See Assessor	See Assessor	See Assessor	See Assessor	See Assessor
7. A list of any cities that are within one mile of the proposed boundaries of the preserve, and any comments expressed by such a city on the application.	None.	None	None	None	None
8. The existence of any historic or scenic value to the lands proposed to be included in the preserve.	None.	None	None	None	None
9. The acreage of each land owner included in the application and the total acreage.	The parcel is 9.82 acres (net).	9.82 acres	9.82 acres	9.82 acres	9.82 acres

**AGRICULTURAL PRESERVE
TECHNICAL ADVISORY COMMITTEE REPORT**

Preserve Name & No. Rancho California Agricultural Preserve No. 19 Map No. 964
Applicant's Name: George and Margaret Zivelonghi Date Received 12/14/05
Address: 5808 Summitview, Suite A #214, Yakima, WA 98908 Supv. Dist. First

1. **Planning Department**

- A. Type of Application: _____ Establish Enlarge
_____ Disestablish _____ Diminish
- B. Acreage: 9.82 acres (net)
- C. Cities within 1 mile: None
- D. Existing Zoning: Light Agriculture - 10 acre minimum lot size (A-1-10)
- E. Existing Land Use: Avocado groves
- F. General Plan Land Use The site is located in the Southwest Area Plan with a land use designation of Rural Mountainous as well as being within the Santa Rosa Plateau Policy Area.
- G. General Location: The site is located in the southwestern portion of Riverside County near the Riverside/San Diego County line southerly of Carancho Road, easterly of Los Gatos Road and westerly of El Calamar Road.

2. **Agricultural Commissioner**

- A. Existing agricultural uses or crops, acreage, and average income or crop return per acre for last year (County-wide values):
Avocados - 6876 planted acreage / 289 box acre / 26# box / \$26.55 per box
Grapefruit - 3330 planted acreage / 1050 box acre / 34# box / \$10.00 per box
Lemons - 154 planted acreage / 589 box acre / 38# box / \$12.00 per box
(2004 District Crop Report)
- B. Number and type of livestock: 0

3. **Cooperative Extension**

- A. Suitable commercial agricultural uses: Avocado, citrus, perennial flowers.
- B. Availability of irrigation water: Water is not a limiting factor.
- C. Nuisance effects: No nuisance effects are anticipated as the surrounding lands are involved in agricultural land uses.

4. **Natural Resource Conservation Service**

A. Types of soils and soils capability classifications:

CkF2 - Cieneba rocky sandy loam (15-50% slopes), Class VIIe-1

B. Comparison of soil acreage (estimated):

_____ % Class I & II
_____ % Class III, IV, & VI
100 % Class VII & VIII

C. Has a Soils Conservation Plan been prepared for this property? No

D. Soils problems: Erosion

5. **Assessor**

A. Last annual assessed valuation: \$388,180 (2005)

B. Estimated annual assessed valuation: \$34,182

C. Estimated differential: \$353,998

D. Penalty fee (if applicable): None, enlargement

E. Assessor's parcel numbers, acreage and owner's names:

APN 933-070-054-5 (9.82 acres (net))

Owners: George and Margaret Zivelonghi

5808 Summitview, Suite A #214

Yakima, WA 98908

6. **County Counsel**

7. **Committee recommendation on application:** X Acceptable ___ Not acceptable

Summary and Conclusions:

The Comprehensive Agricultural Preserve Technical Advisory Committee (CAPTAC) evaluated the proposed enlargement of Rancho California Agricultural Preserve No. 19. The purpose of this evaluation was to determine if the proposed enlargement of this agricultural preserve is consistent with the purpose of the Land Conservation Act of 1965. Based on its findings, CAPTAC members by a unanimous vote concluded that the proposed enlargement of Rancho

California Agricultural Preserve No. 19 is consistent with the Land Conservation Act of 1965 and, as a result, CAPTAC is recommending that the Riverside County Board of Supervisors grant the proposed enlargement. CAPTAC made the following additional findings:

HISTORIC VALUE: There are no historical structures located on the site. The Riverside County General Plan, Figure OS-6 "Archaeological Sensitivity" and Figure OS-7 "Historical Resources", does not indicate that the subject parcel is located near an area of known historical resources. Figure OS-8 "Paleontological Sensitivity", indicates that the general area where the subject property is located has a low or undetermined probability of containing paleontological resources. However, the property has supported avocado groves for at least 20 years. The likelihood of impacts on paleontological resources is less than significant. CAPTAC members unanimously found that the inclusion of the subject property into agricultural preserve status would not adversely affect resources having historical value.

SCENIC VALUE: The property is not located within a designated scenic corridor and no scenic resources are evident on site. 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 enlarging Rancho California Agricultural Preserve No. 19 to include the proposed property. CAPTAC members unanimously found that the inclusion of the subject property into agricultural preserve status would not adversely affect resources having scenic value.

**EXHIBIT A
RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 19
MAP NO. 964
(ENLARGEMENT)**

The following described real property in the unincorporated area, County of Riverside, State of California:

That portion of Parcel 16, in the County of Riverside, State of California as per map recorded in Book 4, pages 76 and 77 of Parcel Maps, in the Office of the County Recorder of said County more completely described as follows:

That portion of Parcel 16, in the County of Riverside, State of California, as per map recorded in Book 4, pages 76 and 77 of Parcel Maps, in the Office of the County Recorder of said County, described as follows:

Beginning at a point on the Southerly boundary of said Parcel 16, said point lies South 80° 54' 17" East, 674.03 feet from the Southwesterly corner of said Parcel 16;

Thence along said Southerly line South 80° 54' 17" East 824.94 feet to the Southeasterly corner of said Parcel 16;

Thence along the Easterly boundary of said Parcel 16 North 03° 00' 01" West 638.96 feet;

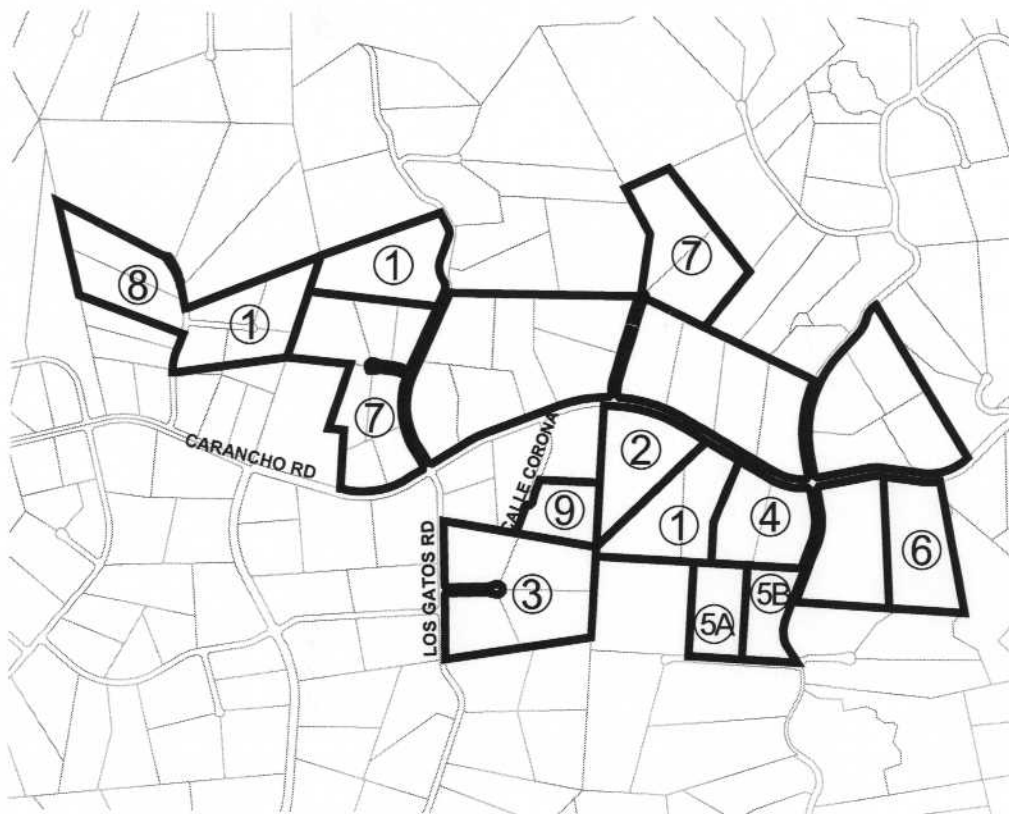
Thence leaving said Easterly line North 87° 07' 29" West, 639.76 feet to a point on a line having a bearing of South 23° 15' 55" West and passes through the Point of Beginning;

Thence South 21° 15' 56" West, 576.99 feet to the Point of Beginning.

Assessor Parcel No.	Acres (net)	Owners
933-070-054-5	9.82	George Zivelonghi and Margaret M. Zivelonghi, as Trustees
TOTAL	9.82	

MAP NO. 355 RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 19

AMENDED BY MAP NO. 396, 408, 430, 436, 439, 480, 494, 600, 964



AMENDMENTS:

- NO. 1, (ENLARGEMENT), JANUARY 25, 1977, MAP NO. 396
- NO. 2, (ENLARGEMENT), DENIED, MAP NO. 408
- NO. 3, (ENLARGEMENT), FEB. 15, 1977, MAP NO. 430
- NO. 4, (ENLARGEMENT), FEB. 15, 1977, MAP NO. 436
- NO. 5A, (ENLARGEMENT), MAP NO. 864
- NO. 5B, (ENLARGEMENT), AUG 21, 1979, MAP NO. 439
- NO. 6, (ENLARGEMENT), FEB. 28, 1979, MAP NO. 480
- NO. 7, (ENLARGEMENT), FEB. 9, 1982, MAP NO. 494
- NO. 8, (DIMINISHMENT), MAY 7, 1985, MAP NO. 600
- NO. 9, (ENLARGEMENT), MAP NO. 964



ADOPTED ON FEBRUARY 24, 1969
 BY THE BOARD OF SUPERVISORS
 OF THE COUNTY OF RIVERSIDE,
 STATE OF CALIFORNIA.