

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



FROM: Supervisors Marion Ashley

SUBMITTAL DATE: June 4, 2007

SUBJECT: "Orchard Overlay" Project

RECOMMENDED MOTION:

That the Board of Supervisors approve, in concept, the "Orchard Overlay" proposal; refer the proposal to TLMA staff for feasibility; and establish a task force with representatives from the communities of Cherry Valley, Banning Bench, San Timoteo Canyon, cities of Banning, Beaumont, Calimesa, the Building Industry Association, and appropriate staff to determine how this concept could become a reality.

BACKGROUND:

The purpose of the "Orchard Overlay" concept is to create a model of vibrant farming communities that will develop a regional recognition that encourages agri-tourism in the pass area while supporting local agriculture. The overlay would require a specific zoning classification that would encourage agricultural cultivation, orchards, vineyards, cideries and wineries while preserving the rural lifestyle. The zoning would include incidental commercial uses such as restaurants, delicatessens, bed and breakfast inns and hotels to provide economic viability to the primary orchard operations in the existing well-established rural communities. This type of zoning would also encourage land use patterns that enhance the preservation of orchards and wineries. It would also discourage the introduction of curbs, gutters and streetlights reinforcing the rural intent of this zone classification. The zoning classification would be similar to the Citrus/Vineyard Rural Policy that has proven so beneficial to the Temecula Valley. It would also link existing historical landmarks such as Oak Glen, Edward-Dean Museum & Gardens, San Timoteo Schoolhouse and Gilman Ranch, promoting area tourism while protecting existing agriculture and encouraging the return of orchards and vineries in the area. It is not the intent of this "Orchard Overlay" proposal to conflict with private property rights or affect any annexation to any city.

Marion Ashley

Riverside County

ARTICLE XIVb

EO PO/V ZONE (CITRUS PASS ORCHARD/VINEYARD)

SECTION 14.71. INTENT. The Board of Supervisors ("Board") finds that there is a need in the County of Riverside for a zone classification within the "Citrus Pass Orchard/Vineyard Rural Policy Area" (**Cherry Valley/Beaumont/Banning unincorporated areas**) of the Riverside County General Plan that would encourage agricultural cultivation, **orchards, vineyards, cideries and wineries that would preserve the rural lifestyle, and fruit growing and wine-making atmosphere and long term viability of the cherry growing and wine-industry where such activities are occurring and that would protect such areas from incompatible uses which could result in reduced agricultural productivity and increased urbanization within the policy area.**

The CITRUS PASS ORCHARD/VINEYARD (EO/V) zone classification is intended to meet the above-referenced objectives. Limited incidental commercial uses, such as wine sales, sampling rooms, restaurants, delicatessens, bed and breakfast inns, and hotels shall be permitted only when they are secondary, and directly related, to the agricultural operations as defined in Section 14.72. The intent of allowing limited incidental commercial uses is to provide economic viability to the primary vineyard and winery operations. In conjunction with development, the use of rural road standards as outlined on Ordinance No. 460 (Regulating the Division of Land) shall be implemented so as to reinforce the rural intent of this zone classification. The introduction of curbs, gutters, and streetlights shall be discouraged.

In addition, the Board finds that there is a need for additional development standards within the "Citrus Pass Orchard/Vineyard Policy Area" of the Riverside County General Plan that would enhance **cider and winemaking fruit growing atmosphere and long-term viability of the cider and wine-industry.** The Board further finds that there is a need for allowing clustering of residential density to encourage permanent preservation of orchards, vineyards and innovation in design, planning, and management of new tract maps and parcel maps within the Citrus Pass Orchard/Vineyard Policy Area of the General Plan to allow orchards and developments to co-exist.

Amended Effective:

04-14-00 (Ord. 348.3928)

12-16-03 (Ord. 348.4147)

02-09-06 (Ord. 348.4321)

SECTION 14.72. DEFINITION .

For purposes of this article (relating to Citrus Pass Orchard/Vineyard Zone) only, the following terms are defined as:

a. "BED AND BREAKFAST INN". Usually a dwelling unit, but sometimes a small facility, with 10 or fewer rooms, which provides lodging and breakfast for temporary overnight occupants, in return for compensation.

b. "CLUSTERED DEVELOPMENT". A Development, in which the allowed number of dwelling units (density yield) are placed in closer proximity than usual, with a purpose of permanently preserving **orchards and vineyards**.

c. "COUNTRY INN". A mid-size facility, usually an extension of the main dwelling unit, with 11 to 20 rooms, which provides lodging, and breakfast for temporary overnight occupants, in return for compensation.

d. "HOTEL". A large separate facility, with 21 or more rooms or suites, which provides lodging and breakfast (but no provision for cooking in rooms or suites) for temporary overnight occupants, in return for compensation.

e. "PRODUCTION LOT". An independent lot of twenty (20) acres gross or more that is set-aside for planting vineyards through a deed-restriction, fee-title purchase, or other conservation mechanism.

f. "SPECIAL OCCASION FACILITY". An outdoor facility, in conjunction with a dwelling unit or a winery, which may include a structure or building, which is used on special occasions for public assembly for a specific period of time in return for compensation. Special occasions may involve, but not be limited to, weddings, concerts, parties, spectator oriented events or other celebrations.

g. "VINEYARD". A farm where grapevines are planted, grown or raised.

h. "WINERY/CIDERY". An agricultural facility designed and used to crush, ferment, and process grapes or tree fruits into wine.

i. **"ORCHARD": A farm or ranch in which fruit trees are planted, grown or raised.**

Amended Effective:

04-14-00 (Ord. 348.3928)

12-16-03 (Ord. 348.4147)

02-09-06 (Ord. 348.4321)

SECTION 14.73. USES PERMITTED.

a. The following uses are permitted in the EO/V Zone:

(1) One-family dwellings.

(2) Vineyards; groves; field crops; flower, vegetable, and herb gardening; orchards; apiaries; the drying, processing and packing (other than canning) of fruits, nuts, vegetables and other

horticultural products where such drying, processing or packing is primarily in conjunction with an agricultural operation or an incidental commercial use as defined by San Bernardino County General Plan policies and the provisions of this zone, and provided that the permanent buildings and structures used in conjunction with such drying, processing, and packing operations are not nearer than fifty feet (50') from the boundaries of the premises.

(3) The grazing of horses, cattle, sheep, goats or other farm stock, excluding hogs, including the supplementary feeding thereof, not to exceed five (5) animals per gross acre of all the land available; provided however, the systematic rotation of animals with more than five (5) animals per gross acre is permitted so long as the total number of permitted animals is not exceeded. For the grazing of sheep or goats, the permissible number of animals per gross acre may be multiplied by three (3), except that there shall be no limit to the permissible number of sheep which may be grazed per gross acre when the grazing is for the purpose of cleaning up unharvested crops, provided that such grazing is not conducted for more than four (4) weeks in any six (6) month period. The provisions of this paragraph apply to mature breeding stock, maintenance stock and similar farm stock, and shall not apply to the offspring thereof, if such offspring are being kept, fed or maintained solely for sale, marketing or slaughtering at the earliest practical age of maturity. In all cases, the permissible number of animals per gross acre shall be computed upon the basis of the nearest equivalent ratio.

(4) Farms or establishments for the selective or experimental breeding and raising of horses, cattle, sheep, and goats subject to the limitations set forth in subsection (3) above.

(5) The outside storage of materials such as irrigation equipment and farming machinery is allowed provided the materials are used in conjunction with a farm. Otherwise, the amount of outside storage materials is limited to one hundred (100) square feet with a maximum height of three feet (3') on parcels less than one-half (1/2) acre and two hundred (200) square feet with a maximum height of three feet (3') for parcels on one-half (1/2) acre or more.

Mv emphasis

b. The following uses are permitted in the C/V Zone provided **a plot plan** has first been obtained pursuant to Section 18.30. The plot plan may include conditions of approval to assure that the uses proposed are compatible with the surrounding area.

(1) An additional one-family dwelling, including mobile homes on permanent foundations, excluding the principal dwelling, shall be allowed for each ten (10) gross acres being farmed. Said additional dwelling units shall be located on a parcel being farmed and occupied by the owner, operator or employee of the farming operation as a one-family residence provided:

(a) The dwelling units are located not less than fifty feet (50') from any property line.

(b) The dwelling units are screened from view at the front property line by shrubs or trees.

(c) The number of dwelling units per parcel for employees shall not exceed four (4) per established farming operation.

(d) The arrangement of the dwelling units, sanitary facilities and utilities conform to all of the requirements of the County Health Department, County Building and Safety Department and State Law.

(2) Public utility facilities, including water works facilities, both public and private, intended primarily for the production and distribution of water for irrigation purposes.

(3) The following appurtenant and limited incidental commercial uses, only with an **established on-site vineyard and a minimum gross parcel size of five (5) acres:**

(a) Special occasion facility; or

Note the property scales here and below

(b) Bed and breakfast inns, and day spas and cooking schools only in conjunction with a bed and breakfast inn.

(4) The following appurtenant and **limited incidental commercial uses, only with an established on-site vineyard and a minimum gross parcel size of ten (10) acres:**

(a) Special occasion facility; or

(b) Country inns, and day spas and cooking schools only in conjunction with a country inn

(5) Wineries, in conjunction with the following appurtenant and incidental commercial uses, only with an established on-site vineyard and a minimum gross parcel size of ten (10) acres.

(a) Wine sampling room

(b) Retail wine sale and/or gift sale

(c) Special occasion facility

(d) Bed and breakfast inns or Delicatessens and/or restaurants; however, drive-thru restaurants are not permitted

(6) Wineries, in conjunction with the following appurtenant and incidental commercial uses, only with an established on-site vineyard and a minimum gross parcel size of **fifteen (15) acres.**

(a) Wine sampling room

(b) Retail wine sale and/or gift sale

(c) Special occasion facility

(d) Country inns or Delicatessens and/or restaurants; however, drive-thru restaurants are not permitted

(7) Wineries, in conjunction with the following appurtenant and incidental commercial uses, only with an established on-site vineyard and a minimum gross parcel size of **twenty (20) acres:**

- (a) Wine sampling room
- (b) Retail wine sale and/or gift sale
- (c) Special occasion facility
- (d) Hotels and day spas and cooking schools only in conjunction with hotels
- (e) Delicatessens and/or restaurants; however, drive-thru restaurants are not permitted

(8) A permanent stand for the display and sale of agricultural products of any permitted use provided that production occurred on the premises where such stand is located, or upon contiguous lands owned or leased by the owner or occupant of the premises.

(9) **Eighteen (18)-hole Golf Courses.**

With just a plot plan

c. The following uses are permitted in the C/V Zone provided a conditional use permit has first been obtained pursuant to Section 18.28:

- (1) Commercial stables and equestrian training facilities.
- (2) Commercial horse, sheep, goat and/or cattle breeding operations.
- (3) Farm labor camps.

Amended Effective:

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12-16-03 (Ord. 348.4147)

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