

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

806 B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
March 16, 2009

SUBJECT: Adoption of Resolution No. 2009-059 – Disestablishment of Coachella Valley Agricultural Preserve No. 50 – Agricultural Preserve Case and Map No. 995 – Applicant: Peter Rabbit Farms, Inc. – Fourth Supervisorial District – Lower Coachella Valley Zoning District – Eastern Coachella Valley Area Plan – ±79 Acres (Gross)

RECOMMENDED MOTION: Adoption of Resolution No. 2009-059 for the disestablishment of Coachella Valley Agricultural Preserve No. 50, Map No. 995, based upon the hereinafter listed findings and conclusions:

FINDINGS:

1. The ±79-acre site is comprised of two (2) parcels which are located northerly of 58th Avenue, southerly of 57th Avenue, easterly of Monroe Street and west of and adjacent to Jackson Street in the lower Coachella Valley of eastern Riverside County, California.
2. John P. Powell and Virginia A. Powell entered into a land conservation contract with the County of Riverside for land within Coachella Valley Agricultural Preserve No. 50. The contract is dated January 1, 1978, and was recorded on January 11, 1978, as Instrument No. 5943 in the Office of the County Recorder of Riverside County, California.
3. Pursuant to the Land Conservation Act of 1965, John P. Powell and Virginia A. Powell, the property owners of Assessor's Parcel No. (APN) 764-130-028-1 and 764-130-029-2, filed a notice of non-renewal on October 08, 1989, which

Ron Goldman
Planning Director

RG:kb

(Continued On Attached Page)

REVIEWED BY COUNTY COUNSEL

3/16/09
DATE
Minh C. Tran
TYPE NAME
Departmental Concurrence

REVIEWED BY EXECUTIVE OFFICE

3/16/09
DATE
Tina Grande

Policy
 Policy

Consent
 Consent
 Consent

Dept't Recomm.:
Per Exec. Ofc.:

MAR 16 2009 9:22

Prev. Agn. Ref.

District: Fourth

Agenda Number:

3.19

notice was recorded on October 12, 1989, as Instrument No. 354263, and, as a consequence, the land conservation contract as it applies to the subject parcels expired on January 1, 2000.

4. Under both the County's Rules and Regulations Governing Agricultural Preserves and the Comprehensive General Plan's Williamson Act Program (i.e., Land Conservation Act of 1965), a landowner may apply to have property removed from the boundaries of an agricultural preserve, once the contract has expired.
5. The land conservation contract having expired, John Powell, Jr., as authorized representative for the current property owner of APN 764-130-028-1 and 764-130-029-2, Peter Rabbit Farms, Inc., has now applied to have the property removed from the boundaries of the agricultural preserve.

CONCLUSION:

1. The disestablishment of Coachella Valley Agricultural Preserve No. 1, Map No. 995, is consistent with the provisions of the Land Conservation Act of 1965 and the Rules and Regulations Governing Agricultural Preserves in Riverside County as adopted by the Board of Supervisors.
2. The disestablishment of Coachella Valley Agricultural Preserve No. 50, Map No. 995, is consistent with the Riverside County General Plan.

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RESOLUTION NO. 2009-059
DIMINISHMENT OF COACHELLA VALLEY
AGRICULTURAL PRESERVE NO. 50
(Government Code Section 51231)

WHEREAS, John P. Powell and Virginia A. Powell, entered into a Land Conservation Contract with the County of Riverside pursuant to the California Land Conservation Act of 1965 (Government Code Section 51200 et seq.), which contract is dated January 1, 1978, and was recorded January 11, 1978, as Instrument No. 5943, in the Office of the County Recorder of Riverside County, California; and

WHEREAS, John P. Powell and Virginia A. Powell landowners, filed a Notice of Nonrenewal on October 8, 1989, which notice was recorded on October 12, 1989, as Instrument No. 354263, in the Office of the County Recorder of Riverside County, California;

WHEREAS, the filing of said Notice of Nonrenewal resulted in the expiration of the contract as it applies to the subject property on January 1, 2000, pursuant to Government Code Section 51245 and 51246;

BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the Board of Supervisors of the County of Riverside, State of California, in regular session assembled on March 24, 2009, that:

- 1. Coachella Valley Agricultural Preserve No. 50, Map No. 216, dated February 1, 1972, and on file in the Office of the Clerk of this Board, is further amended by deleting therefrom the area shown on the map entitled "AGRICULTURAL PRESERVE MAP NO. 995: AMENDMENT NO. 2 (DISESTABLISHMENT) OF COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 50" and described by boundary description thereof, as fully set forth in the attached document entitled "EXHIBIT A, COACHELLA VALLEY AGRICULTURAL**

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PRESERVE NO. 50, MAP NO. 995 (DISESTABLISHMENT)," which is made part of this resolution, said map and description both being on file in the Office of the Clerk of the Board.

2. The disestablishment of Coachella Valley Agricultural Preserve No. 50, Map No. 995, is consistent with the provisions of the Land Conservation Act of 1965, the Riverside County General Plan, and the Rules and Regulations Governing Agricultural Preserves in Riverside County as adopted by the Board of Supervisors.

BE IT FURTHER RESOLVED that the Clerk of this Board shall file and record copies of this resolution, map and boundary description in the Office of the County Recorder of Riverside County, California, with the Director of Conservation of the State of California, and with the Office of the Assessor of Riverside County, California.

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FORM APPROVED COUNTY COUNSEL
BY:  3/12/09
MINH C. TRAN DATE

**EXHIBIT A
COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 50
MAP NO. 995
(DISESTABLISHMENT)**

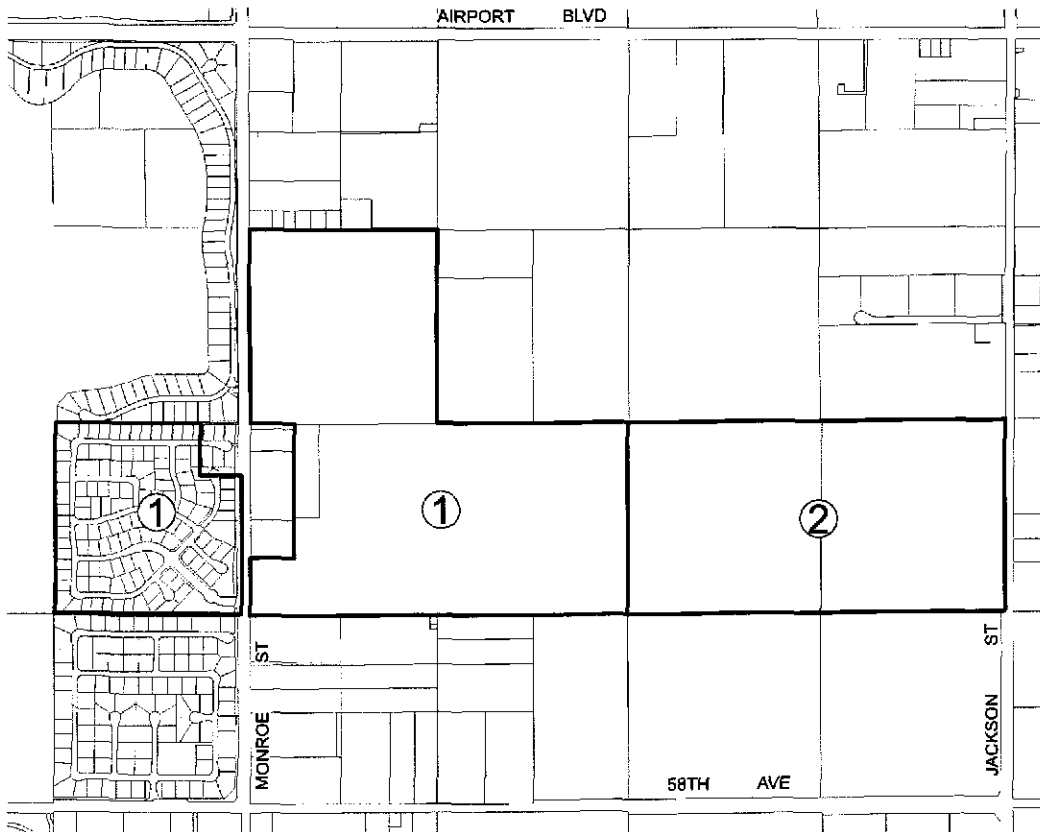
All that real property situated in the County of Riverside, State of California, described as follows:

The North half of the Southeast quarter of Section 23, Township 6 South, Range 7 East, San Bernardino Base and Meridian.

Assessor Parcel No.	Acres (Gross)	Owners
764-130-028	40.00	Peter Rabbit Farms Inc
764-130-029	39.09	Peter Rabbit Farms Inc
Total	79.09	

MAP NO. 216 COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 50

AMENDED BY MAP NO. 827, 995
T.6.,R.7E. S.B.B & M.



AMENDMENTS:

NO. 1, (DIMINISHMENT), MARCH 7, 2000, MAP NO. 827

NO. 2, (DIMINISHMENT), MAP NO. 995

ADOPTED ON FEBRUARY 1, 1972
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA.

