

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

8013



FROM: TLMA - Planning Department

SUBMITTAL DATE:
May 18, 2009

SUBJECT: ADOPTION OF RESOLUTION NO. 2009-102, AGRICULTURAL PRESERVE
CASE NO. 1006 / CHANGE OF ZONE NO. 7695 – CEQA Exempt – Applicant: Belk Holdings,
LLC – Fourth Supervisorial District – Lower Coachella Valley Zoning District – Eastern
Coachella Valley Area Plan: Agriculture (AG) – Location: North and south of and adjacent to
68th Avenue, southerly of 66th Avenue, easterly of Garfield Street, west of and adjacent to Arthur
Street – 186.03 Acres – Zoning: Controlled Development Areas (W-2) – REQUEST: To change
the zone on the subject property to Heavy Agriculture – 10 Acre Minimum (A-2-10) to facilitate
entry into an 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 A MAJORITY VOTE, RECOMMENDS:**

APPROVAL of the enlargement of Coachella Valley Agricultural Preserve No. 83,
Amendment No. 1, Map No. 1006, 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:

Ron Goldman
Planning Director

RG:kb

(Continued On Attached Pages)

REVIEWED BY COUNTY COUNSEL

DATE 5/11/09

TYPE NAME Minh C. Tran

Departmental Concurrence

REVIEWED BY EXECUTIVE OFFICE

DATE 5/20/09

TYPE NAME Tila Grande

Policy

Consent

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

Prev. Agn. Ref.

District: Fourth

Agenda Number:

16.2

The Honorable Board of Supervisors

RE: ADOPTION OF RESOLUTION NO. 2009-102, AGRICULTURAL PRESERVE CASE NO. 1006 / CHANGE OF ZONE NO. 7695

May 18, 2009

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ADOPT Resolution No. 2009-102 enlarging Coachella Valley Agricultural Preserve No. 83;

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 Coachella Valley Agricultural Preserve No. 83;

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.

The Planning Department recommended Approval; and,

THE PLANNING COMMISSION BY A VOTE OF 5-0 RECOMMENDS TO THE BOARD OF SUPERVISORS:

TENTATIVE APPROVAL of Change of Zone No. 7695, from W-2 to A-2-10, in accordance with Exhibit No. 2 pending final adoption of the final zoning ordinance by the Board of Supervisors; and,

FINDINGS:

1. The approximately 186-acre project site is comprised of three (3) parcels and is located in the lower Coachella Valley north and south of and adjacent to 68th Avenue, southerly of 66th Avenue, easterly of Garfield Street, west of and adjacent to Arthur Street in eastern Riverside County.
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 approximately 186 acres, its gross acreage meeting the size requirement; is contiguous to Coachella Valley Agricultural Preserve No. 83; and, upon adoption of Final Change of Zone No. 7695, is properly zoned for inclusion into an agricultural preserve.
3. The parcels are designated Agriculture: Agriculture (AG) on the land use allocation map for the Eastern Coachella Valley Area Plan and are located within the Vista Santa Rosa Policy Area. 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. Adjacent properties to the north, south, east and west are also designated Agriculture. There are also scattered parcels to the north, south, and east that are designated

The Honorable Board of Supervisors

RE: ADOPTION OF RESOLUTION NO. 2009-102, AGRICULTURAL PRESERVE CASE NO. 1006 / CHANGE OF ZONE NO. 7695

May 18, 2009

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Community Development – Public Facilities (CD-PF), Open Space – Water (OS-W), Indian Lands (IND) and Open Space – Conservation Habitat (OS-CH). The proposed enlargement of the agricultural preserve is consistent with surrounding land use designations.

5. The subject property is currently zoned Controlled Development Areas (W-2). 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, upon adoption of Final Change of Zone No. 7695, meets this zoning requirement.
6. Adjacent properties to the north, south, east and west are also zoned Controlled Development Areas (W-2), Heavy Agriculture (A-2), Light Agriculture (A-1), Rural Residential (R-R) and Watercourse, Watershed and Conservation Areas (W-1) with a variety of minimum lot sizes. The proposed enlargement of the agricultural preserve is consistent with the surrounding zoning.
7. The agricultural use on the subject parcels is cultivation of varietal grapes. Surrounding properties support agricultural uses, consisting of tree, vine and row crops.
8. The Riverside County Land Information System indicates that the subject property consists of Prime and Unique Farmlands. A Soil Conservation Plan has been prepared for the property.
9. The last annual assessed valuation of the subject parcels was \$4,071,317.00. The Assessor's Office has estimated that the assessed valuation of the property would decrease by \$2,728,768.00, if the parcels 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 Relative Sensitivity of Diverse Landscapes and Historical Resources Map do not indicate that the subject parcels are 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 an undetermined potential of containing paleontological resources. However, the subject parcels have been used for agricultural production for well over 30 years and impacts on paleontological resources are not expected from enlarging Coachella Valley Agricultural Preserve No. 83 to include the proposed parcels.
11. The subject parcels are not located near a roadway identified as State Eligible for designation as State Scenic Highway, within a designated scenic corridor nor is

The Honorable Board of Supervisors

RE: ADOPTION OF RESOLUTION NO. 2009-102, AGRICULTURAL PRESERVE CASE NO. 1006 / CHANGE OF ZONE NO. 7695

May 18, 2009

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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 Coachella Valley Agricultural Preserve No. 83.

CONCLUSION:

1. The enlargement of Coachella Valley Agricultural Preserve No. 83, Amendment No. 1, Map No. 1006, is consistent with the Riverside County General Plan.
2. The enlargement of Coachella Valley Agricultural Preserve No. 83, Amendment No. 1, Map No. 1006, is consistent with the zoning on the property.
3. The enlargement of Coachella Valley Agricultural Preserve No. 83, Amendment No. 1, Map No. 1006, 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. 2009-102

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 June 2, 2009, that, pursuant to the California Land Conservation Act of 1965 (Government Code Section 51200 et seq.), the Coachella Valley Agricultural Preserve No. 83, Map No. 445, is amended by adding thereto the area shown on the map entitled, "COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 83, AMENDMENT NO. 1, (ENLARGEMENT), MAP NO. 1006," and describing the 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

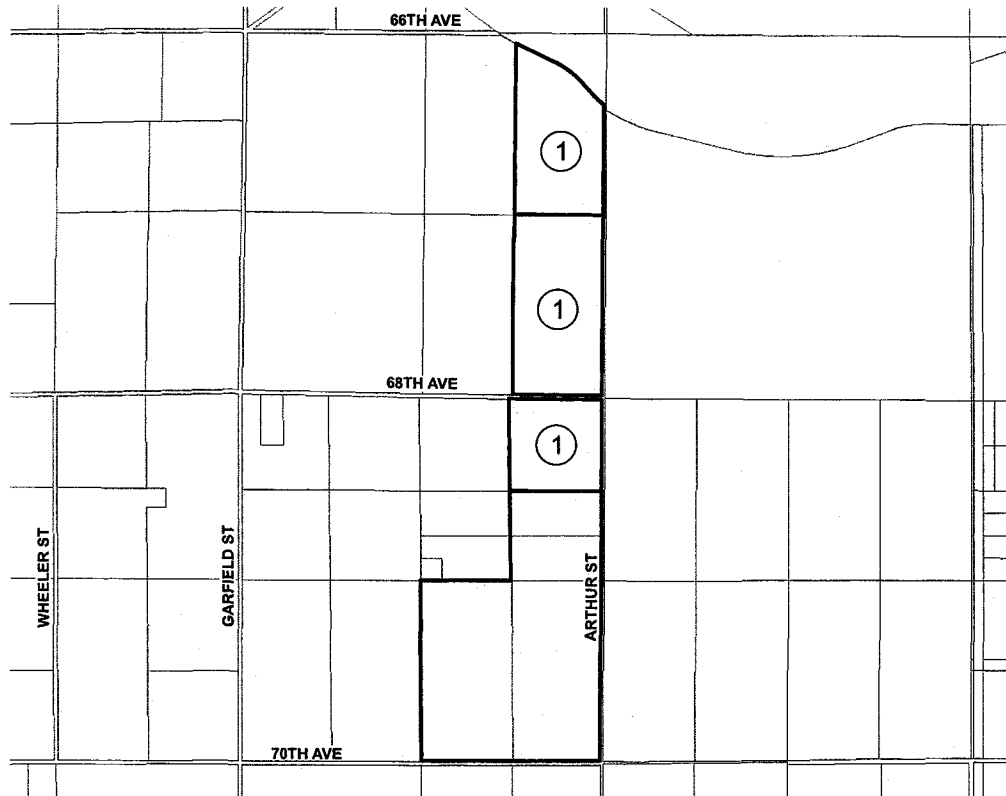
BY: Minh Tran
MINH C. TRAN

5/11/09
DATE

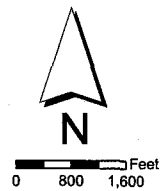
MAP NO. 445 COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 83

AMENDED BY MAP NO. 1006

T. 7 S., R. 9 E. S.B.B. & M.



AMENDMENTS:
NO. 1, (ENLARGEMENT), JUNE 2, 2009, MAP NO. 1006



ADOPTED ON AUGUST 2, 1977
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA.

**EXHIBIT A
COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 83
MAP NO. 1006
(Enlargement)**

The land referred to herein is situated in the State of California, County of Riverside, Unincorporated Area, described as follows:

PARCEL 1:

A parcel of land lying within the Northeast quarter of Section 13, Township 7 South, Range 9 East, San Bernardino Base and Meridian, being more particularly described as follows:

The Northeast quarter of Section 13, Township 7 South, Range 9 East, San Bernardino Base and Meridian;

EXCEPT that portion thereof conveyed to the United States of America as Parcel No. C60R1, by Deed recorded May 5, 1947 as Instrument No. 548 in Book 831, Page 338 of Official Records of Riverside County, California;

ALSO EXCEPT any portion thereof lying within the All American Canal as now established.

NOTE: Said legal description is described as Parcel 2 as pursuant to Lot Line Adjustment No. 05056, approved by the County of Riverside, Planning Department and recorded October 25, 2006 as Instrument No. 06-783408 of Official Records.

APN 727-310-010-9

PARCEL 2:

A parcel of land lying within the Southeast quarter of Section 13, Township 7 South, Range 9 East, San Bernardino Base and Meridian, being more particularly described as follows:

The Southeast quarter of Section 13, Township 7 South, Range 9 East, San Bernardino Base and Meridian.

NOTE: Said legal description is described as Parcel 4 as pursuant to Lot Line Adjustment No. 05056, approved by the County of Riverside, Planning Department and recorded October 25, 2006 as Instrument No. 06-783408 of Official Records.

APN: 727-320-006-7

PARCEL 3:

The Northeast quarter of the Northeast quarter of Section 24, Township 7 South, Range 9 East, San Bernardino Base and Meridian, being Torres-Martinez Allotment No. 228.

APN 729-080-037-8

Assessor Parcel No.	Acres	Owners
727-310-010-9	64.58	Belk Holdings, LLC
727-320-006-7	81.45	Belk Holdings, LLC
729-080-037-8	40.00	Belk Holdings, LLC
Total	186.03	

AG001006 – COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 83

Findings:	Planning	Ag. Commissioner	Cooperative Extension	Natural Resource Conservation Service	Assessor
1. Present zoning of lands proposed to be included in the preserve and surrounding land.	Site: Controlled Development Areas (W-2) N: W-2-10, A-1-20, R-R, W-1 N-A S: A-1-10 & -20, A-2-20, W-2 C-P-S, W-1 E: W-2, W-2-10, W-1, R-1, R-2 W: A-2-20, A-1-10, W-2	Same	Same		Same
2. Present land use of land proposed to be included in the preserve and surrounding properties.	Site: Agriculture Surrounding: Agriculture	Same	Same		Same
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.	Yes, varietal grapes.	Same	Same		Same
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.	Various tree, vine and row crops including grapes.	Same	Same		Same
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 lands are zoned for agricultural uses and many properties in the vicinity are located within agricultural preserves. The use does not or will not constitute a nuisance.	No nuisance is anticipated in this area.	Same		Same

Findings:	Planning	Ag. Commissioner	Cooperative Extension	Natural Resource Conservation Service	Assessor
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; however, Torres-Martinez Tribal Lands are located within proximity.	Same	Same	Same	Same
8. The existence of any historic or scenic value to the lands proposed to be included in the preserve.	None, existing agricultural use.	Same	Same	Same	Same
9. The acreage of each land owner included in the application and the total acreage.	APN 727-310-010 = 64.58 acres APN 727-320-006 = 81.45 acres APN 729-080-037 = 40.00 acres TOTAL = 186.03 acres	186.03 acres	186.03 acres	186.03 acres	186.03 acres

**AGRICULTURAL PRESERVE
TECHNICAL ADVISORY COMMITTEE REPORT**

Preserve Name & No. Coachella Valley Agricultural Preserve No. 83 Map No. 1006
Applicant's Name: Belk Holding, LLC Date Received 9-18-08
Address: P.O. Box 24, Coachella Valley, CA 92236 Supv. Dist. Fourth

1. **Planning Department**

- A. Type of Application: _____ Establish X Enlarge
_____ Disestablish _____ Diminish
- B. Acreage: Three parcels totaling 186.03 acres.
- C. Cities within 1 mile: None; however, adjacent to Tribal Lands.
- D. Existing Zoning: Controlled Development Areas (W-2)
- E. Existing Land Use: Agriculture
- F. General Plan Land Use: Agriculture (AG)
- G. General Location: North and south of and adjacent to 68th Avenue, southerly of 66th Avenue, easterly of Garfield Street, west of and adjacent to Arthur Street in eastern Coachella Valley.

2. **Agricultural Commissioner**

- A. Existing agricultural uses or crops, acreage, and average income or crop return per acre for last year (County-wide values):
These parcels are currently planted to table grapes. The value of grapes in Riverside County is \$10,400/acre for a total value of \$95 million countywide.
- B. Number and type of livestock: None.

3. **Cooperative Extension**

- A. Suitable commercial agricultural uses: A variety of tree, vine and row crops.
- B. Availability of irrigation water: Not an issue.
- C. Nuisance effects: No nuisance expected from existing agricultural use.

4. **Natural Resource Conservation Service**

- A. Types of soils and soils capability classifications: (SEE ATTACHED LIST)

- B. Comparison of soil acreage (estimated):

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

C. Has a Soils Conservation Plan been prepared for this property? Yes

D. Soils problems: _____

5. **Assessor**

A. Last annual assessed valuation: 2007 RV: \$4,071,317.00

B. Estimated annual assessed valuation: FBY: \$1,342,549.00

C. Estimated differential: \$2,728,768.00

D. Penalty fee (if applicable): None

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

APN 727-310-010-9 (64.59 ac.) (A) \$1,457,802 (B) \$525,778 (C) \$ 931,024
727-320-006-7 (81.45 ac.) (A) \$1,761,949 (B) \$544,658 (C) \$1,217,291
729-080-037-8 (40.00 ac.) (A) \$ 851,566 (B) \$271,113 (C) \$ 580,453

Belk Holding, LLC *All above acreage = Other prime.
P.O. Box 24
Coachella Valley, CA 92236

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 Coachella Valley Agricultural Preserve No. 83. 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, four of the five CAPTAC members (the Natural Resource Conservation Service was not present) concluded that the proposed enlargement of Coachella Valley Agricultural Preserve No. 83 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 on the site and the site has been and is currently used in agricultural production. Additionally, both the Historical Resources Map and Relative Archaeological Sensitivity of Diverse Landscapes Map of the Riverside County General Plan do not indicate that the property is within an area of known historical or

archaeological resources. However, the County's Paleontological Sensitivity Map indicates that the area in which the site is located has unknown potential for containing paleontological resources. Paleontological resources are generally located at depths greater than four to five feet. The existing and past use of the site for agricultural purposes precludes impacts to paleontological resources.

SCENIC VALUE: The property is located within approximately one mile of a designated scenic corridor, State Highway 111. However, the existing and surrounding land uses, agricultural, precludes impacts to scenic corridors 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 Coachella Valley Agricultural Preserve No. 83 to include the proposed parcels.

**PLANNING COMMISSION
MINUTE ORDER APRIL 15, 2009
RIVERSIDE COUNTY ADMINISTRATIVE CENTER**

I. **AGENDA ITEM 7.3: CHANGE OF ZONE NO. 7695** - CEQA Exempt – Applicant: Belk Holdings – Fourth Supervisorial District – Location: Lower Coachella Valley, Eastern Coachella Valley Area Plan, and more generally located northerly and southerly of and adjacent to 68th Avenue, southerly of 66th Avenue, easterly of Garfield Street, westerly of and adjacent to Arthur Street. (Legislative)

II. **PROJECT DESCRIPTION**

Pursuant to Ordinance No. 348, Riverside County Land Use Ordinance, the change of zone proposes to change the zoning on the subject property from Controlled Development Areas (W-2) to Heavy Agriculture - 10 acre minimum lot size (A-2-10) to facilitate entry into an existing agricultural preserve pursuant to the California Land Conservation Act of 1965 (Williamson Act) and the County's Rules and Regulations Governing Agricultural Preserves in Riverside County.

III. **MEETING SUMMARY**

The following staff presented the subject proposal:

Project Planner, Kathleen Browne, 951-955-4949 or email kbrowne@rctlma.org.

No one spoke in favor, neutral or in opposition of the subject proposal.

IV. **CONTROVERSIAL ISSUES**

NONE

V. **PLANNING COMMISSION ACTION**

The Planning Commission, by a vote of 5-0, recommended to the Board of Supervisors;

TENTATIVE APPROVAL of CHANGE OF ZONE NO 7695, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

VI. **CD**

The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Chantell Griffin, Planning Commission Secretary, at (951) 955-3251 or E-mail at cgriffin@rctlma.org.

Agenda Item No.: 7.3
Area Plan: Eastern Coachella Valley
Zoning District: Lower Coachella Valley
Supervisorial District: Fourth
Project Planner: Kathleen Browne
Planning Commission: April 15, 2009

Change Of Zone No. 7695
Applicant: Belk Holdings, LLC
Engineer/Representative: Feiro Engineering

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

Change of Zone No. 7695 is a request to change the zoning on three (3) parcels, totalling approximately 186 acres, from Controlled Development Areas (W-2) to Heavy Agriculture - 10 acre minimum lot size (A-2-10). Associated with this change of zone is a request to enlarge Coachella Valley Agricultural Preserve No. 83 and enter into a Land Conservation Contract with the County of Riverside. The change of zone is pursuant to the Land Conservation Act of 1965, generally known as the Williamson Act, and the County's Rules and Regulations Governing Agricultural Preserves in Riverside County, which require that property eligible for inclusion into an agricultural preserve have agricultural zoning. Riverside County has defined agricultural zoning to be Light Agriculture (A-1), Heavy Agriculture (A-2), Agriculture-Dairy (A-D), Light Agriculture with Poultry (A-P) and Citrus/Vineyard (CV).

The subject parcels are located north and south of and adjacent to 68th Avenue, southerly of 66th Avenue, easterly of Garfield Street, west of and adjacent to Arthur Street in the lower Coachella Valley of eastern Riverside County.

ISSUES OF POTENTIAL CONCERN: None.

SUMMARY OF FINDINGS:

- | | |
|--|---|
| 1. Existing General Plan Land Use (Ex. #5): | Agriculture: Agriculture (AG) |
| 2. Surrounding General Plan Land Use (Ex. #5): | Community Development: Public Facilities (CD-PF), Open Space - Water (OS-W), Indian Lands (IND) and Conservation Habitat (OS-CH) to the north; AG and IND to the south; OS-CH and Rural: Rural Desert (R-RD) to the east; and, AG and IND to the west |
| 3. Existing Zoning (Ex. #2): | Controlled Development Areas (W-2) |
| Proposed Zoning (Ex. #2): | Heavy Agriculture - 10 acre minimum (A-2-10) |
| 4. Surrounding Zoning (Ex. #2): | A-2-20, Light Agriculture - 10 acre minimum (A-1-10), W-2 to the north, south, east and west; Watercourse, Watershed & Conservation Areas (W-1) and Rural Residential (R-R) to the north |
| 5. Existing Land Use (Ex. #1): | Agriculture |
| 6. Surrounding Land Use (Ex. #1): | Agriculture |
| 7. Project Data: | Total Acreage: 186.02
Total Proposed Lots: N/A
Proposed Min. Lot Size: N/A
Schedule: N/A |
| 7. Environmental Concerns: | Exempt per CEQA Guidelines Section 15317 |

RECOMMENDATIONS:

TENTATIVE APPROVAL of **CHANGE OF ZONE NO. 7695**, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

CONCLUSIONS:

1. The proposed project is in conformance with the Agriculture: Agriculture (AG) Land Use Designation, and with all other elements of the Riverside County General Plan.
2. The proposed project, upon adoption of the final change of zone, is consistent with the Land Conservation Act of 1965 and the County's Rules and Regulations Governing Agricultural Preserves in Riverside County.
3. The proposed project will not affect the public's health, safety, and general welfare.
4. The proposed project is clearly compatible with the present and future logical development of the area.
5. The proposed project will not have a significant effect on the environment.
6. The proposed project will not preclude reserve design for the Multi-Species Habitat Conservation Plan (MSHCP).

FINDINGS: The following findings are in addition to those incorporated in the summary of findings which is incorporated herein by reference.

1. The project site is designated Agriculture: Agriculture (AG) on the Eastern Coachella Valley Area Plan.
2. The proposed project, Change of Zone No. 7695 to change the zoning on the project site from Controlled Development Areas (W-2) to Heavy Agriculture – 10 acre minimum (A-2-10), is consistent with the Agriculture designation.
3. The project site is surrounded by properties which are designated Agriculture.
4. The existing use is a permitted use in the Heavy Agriculture (A-2) Zone and is consistent with the development standards set forth in the Heavy Agriculture (A-2) Zone.
5. The project site is surrounded by properties which are zoned Controlled Development Areas (W-2), Heavy Agriculture – 20 acre minimum (A-2-20), Light Agriculture – 10 acre minimum (A-1-10) and Watercourse, Watershed and Conservation Areas (W-1).
6. Agricultural uses are operating in the project vicinity.
7. The project site is not located within a Conservation Area of the Coachella Valley Multiple Species Habitat Conservation Plan.
8. The proposed project is exempt from CEQA review per Categorical Exemption Section 15317, Class 17 Open Space Contracts or Easements, as the proposed project is to establish agricultural zoning for the purpose of inclusion into an existing agricultural preserve.

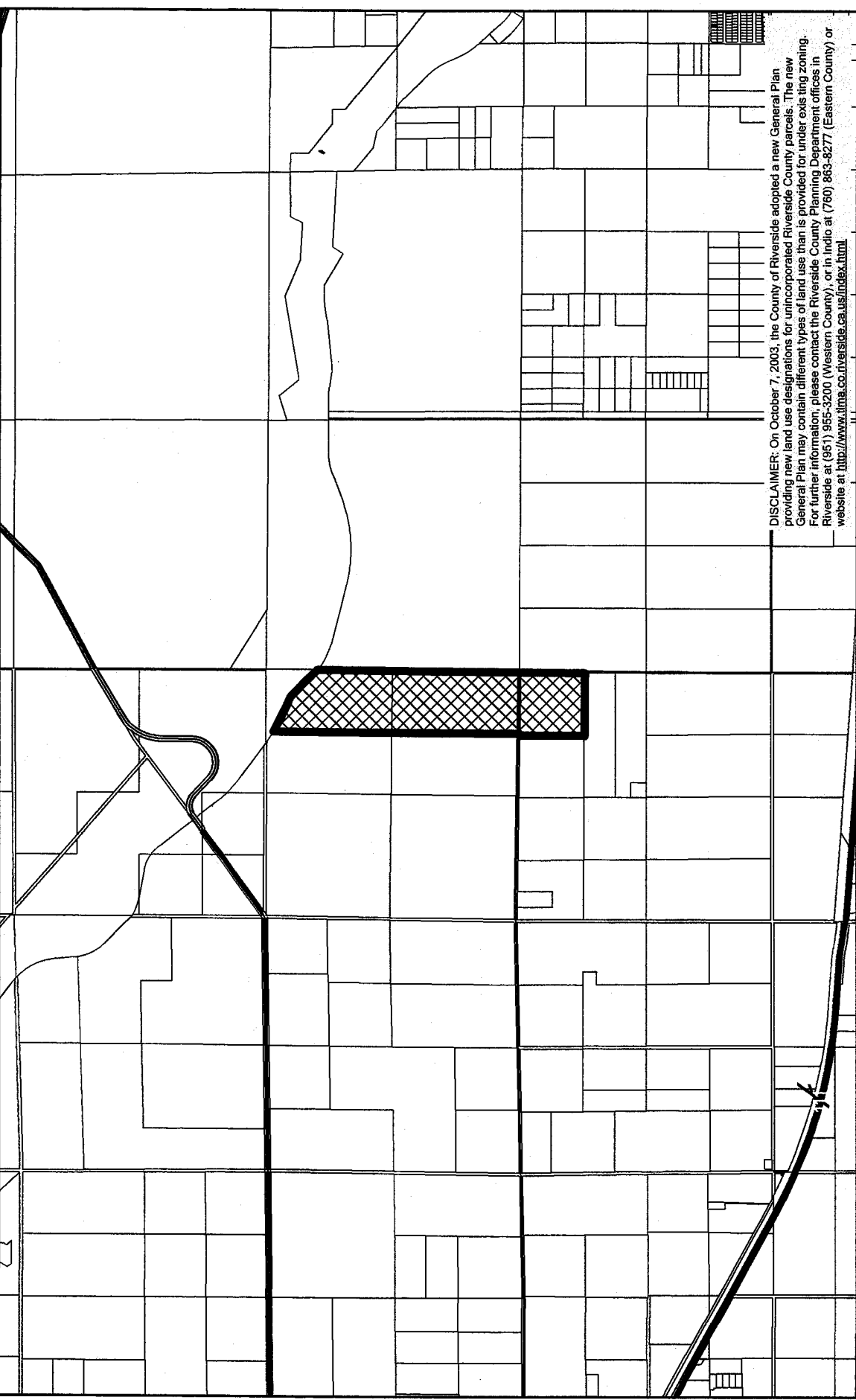
INFORMATIONAL ITEMS:

1. As of this writing, no letters, in support or opposition have been received.
2. The project site is not located within:
 - a. An airport influence area or compatibility zone.
 - b. A 100-year flood plain, an area drainage plan, or dam inundation area.
 - c. Fringe-toed Lizard Sand Source Area.
 - d. An Alquist-Priolo Earthquake Fault Zone.
3. The project site, is locate within:
 - a. An area identified as having prime and unique farmland.
 - b. The Coachella Valley Recreation and Parks District.
4. The subject site is currently designated as Assessor's Parcel No. 727-310-010, 727-320-006, 729-080-037.

Supervisor Wilson
District 4
Date Drawn: 3/3/09

CZ07695 AG01006
VICINITY MAP

Planner: Kathleen Browne
Date: 4/15/09
Vicinity Map



DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-3200 (Western County), or in Indio at (760) 863-8277 (Eastern County) or website at <http://www.ijmsa.co.riverside.ca.us/index.html>.

RIVERSIDE COUNTY PLANNING DEPARTMENT

District: Lower Coachella Valley
Township/Range: T7SR9E
Section : 13 & 24

Assessors 727-31,32
Bk. Pg. 729-08
Thomas
Bros. Pg. 727 E2

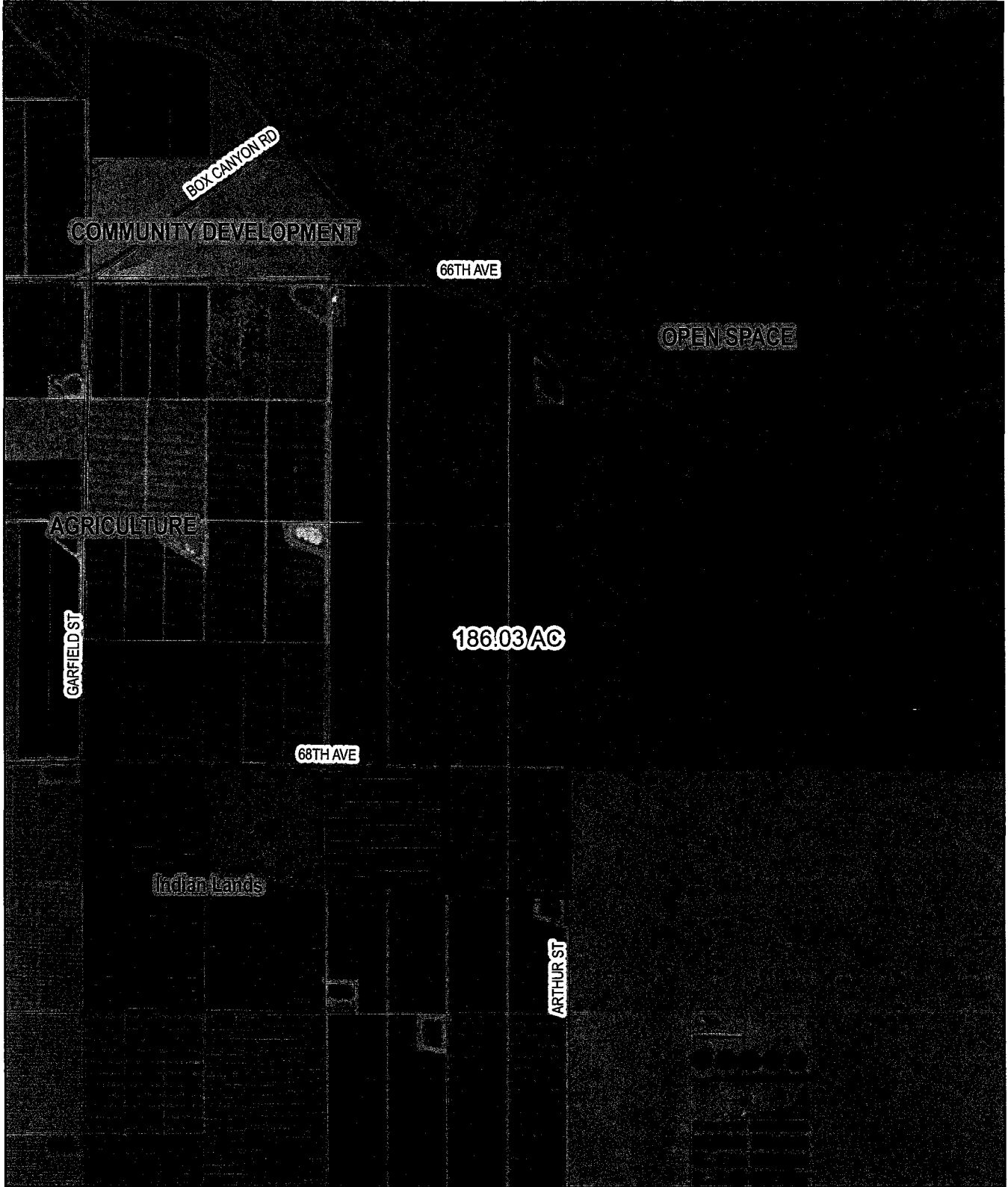


Supervisor: Wilson
District: 4
Date Drawn: 3/3/09

CZ07695 AG01006

DEVELOPMENT OPPORTUNITY

Planner: Kathleen Browne
Date: 4/15/09
Exhibit Overview



RIVERSIDE COUNTY PLANNING DEPARTMENT Assessors 727-31,32

District: Lower Coachella Valley
Township/Range: T7SR9E
Section: 13 & 24

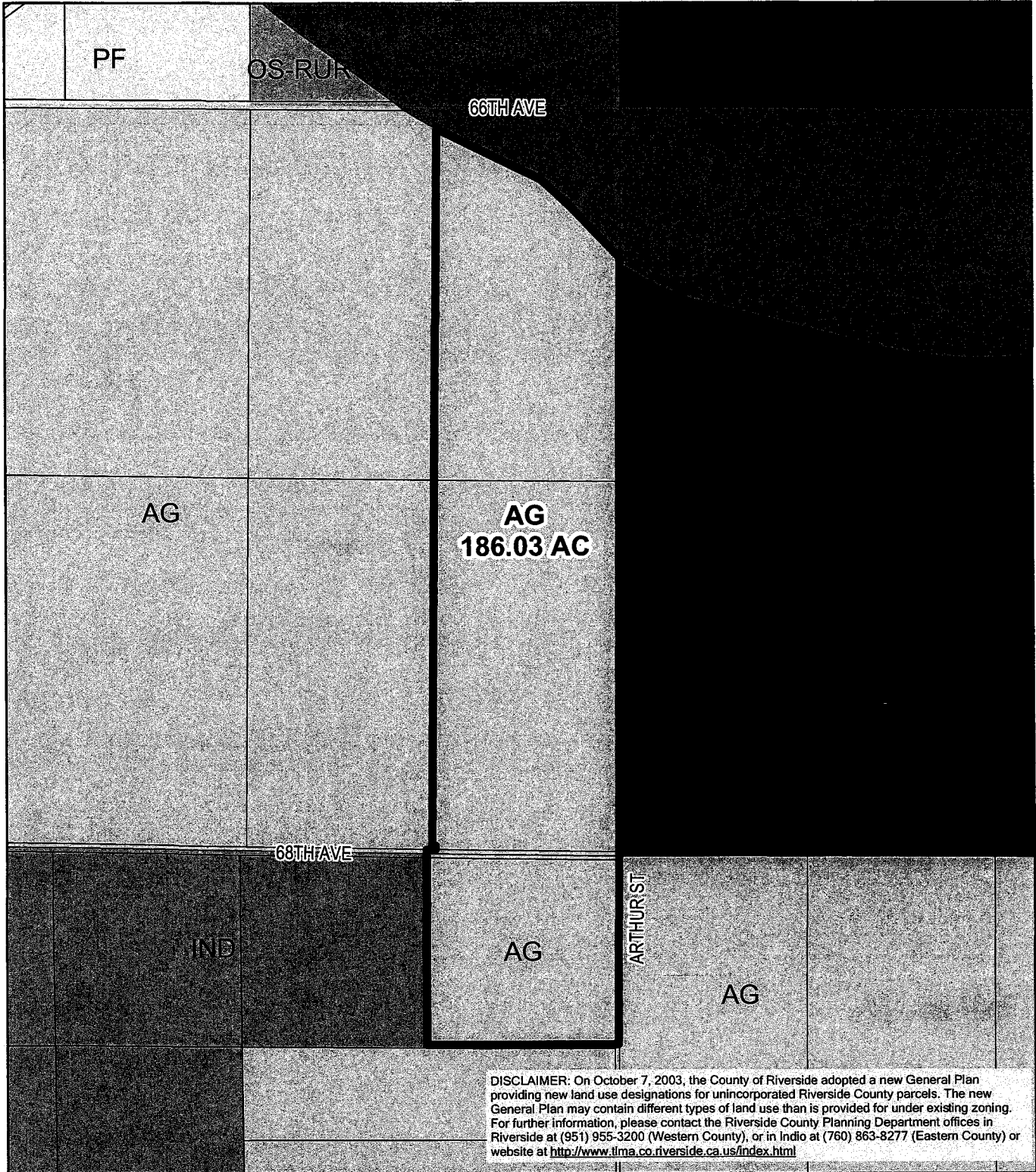
Bk. Pg. 729-08
Thomas
Bros. Pg. 5592 E7



Supervisor: Wilson
District 4
Date Drawn: 3/3/09

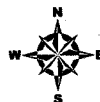
CZ07695 AG01006
Existing General Plan

Planner: Kathleen Browne
Date: 4/15/09
Exhibit 5



RIVERSIDE COUNTY PLANNING DEPARTMENT

District: Lower Coachella Valley
Township/Range: T7SR9E
Section: 13 & 24



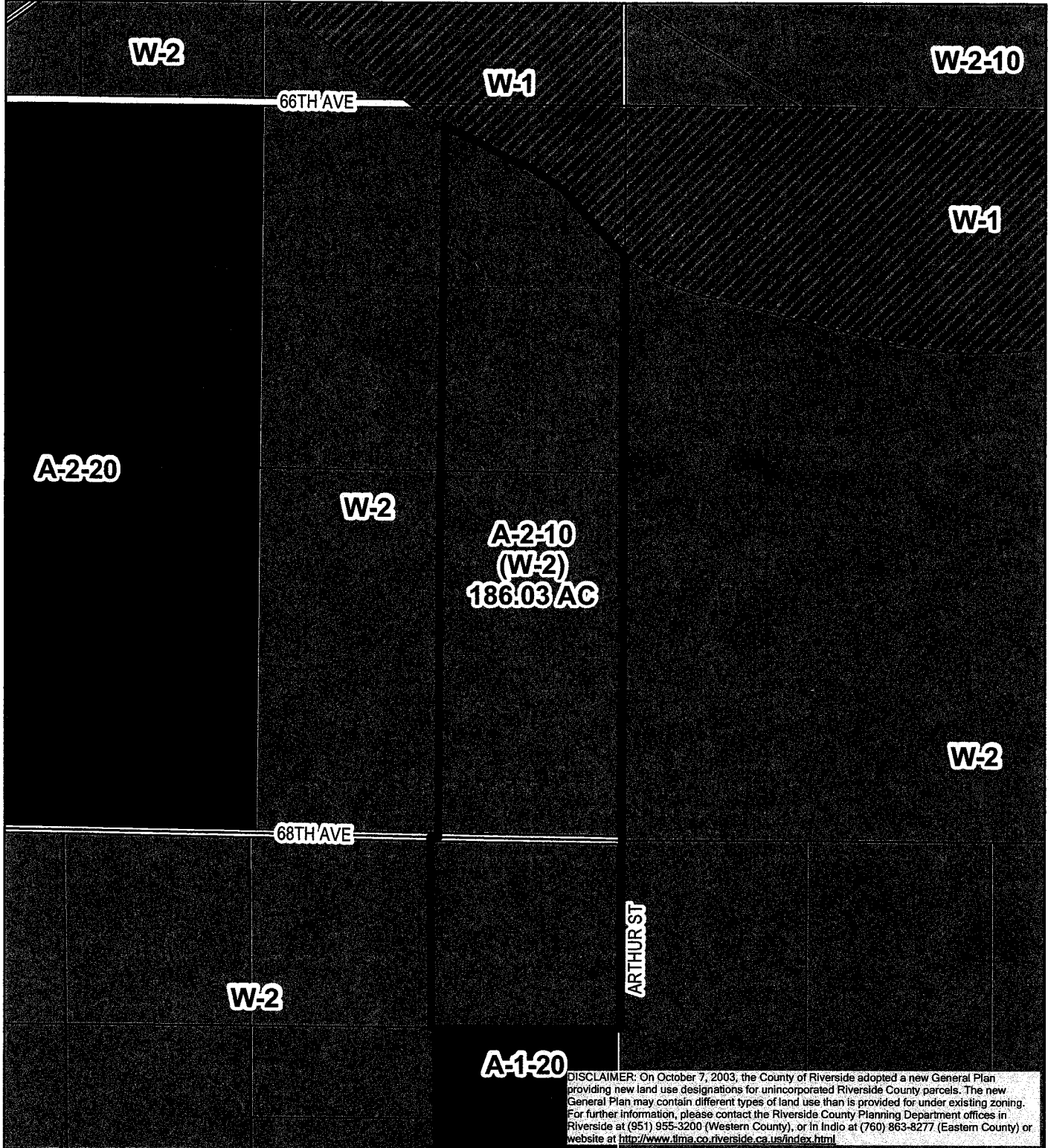
Assessors 727-31,32
Bk. Pg. 729-08
Thomas
Bros. Pg. 5592 E7

Supervisor Wilson
District 4
Date Drawn: 3/3/09

CZ07695 AG01006

PROPOSED ZONING

Planner: Kathleen Browne
Date: 4/15/09
Exhibit 3



RIVERSIDE COUNTY PLANNING DEPARTMENT

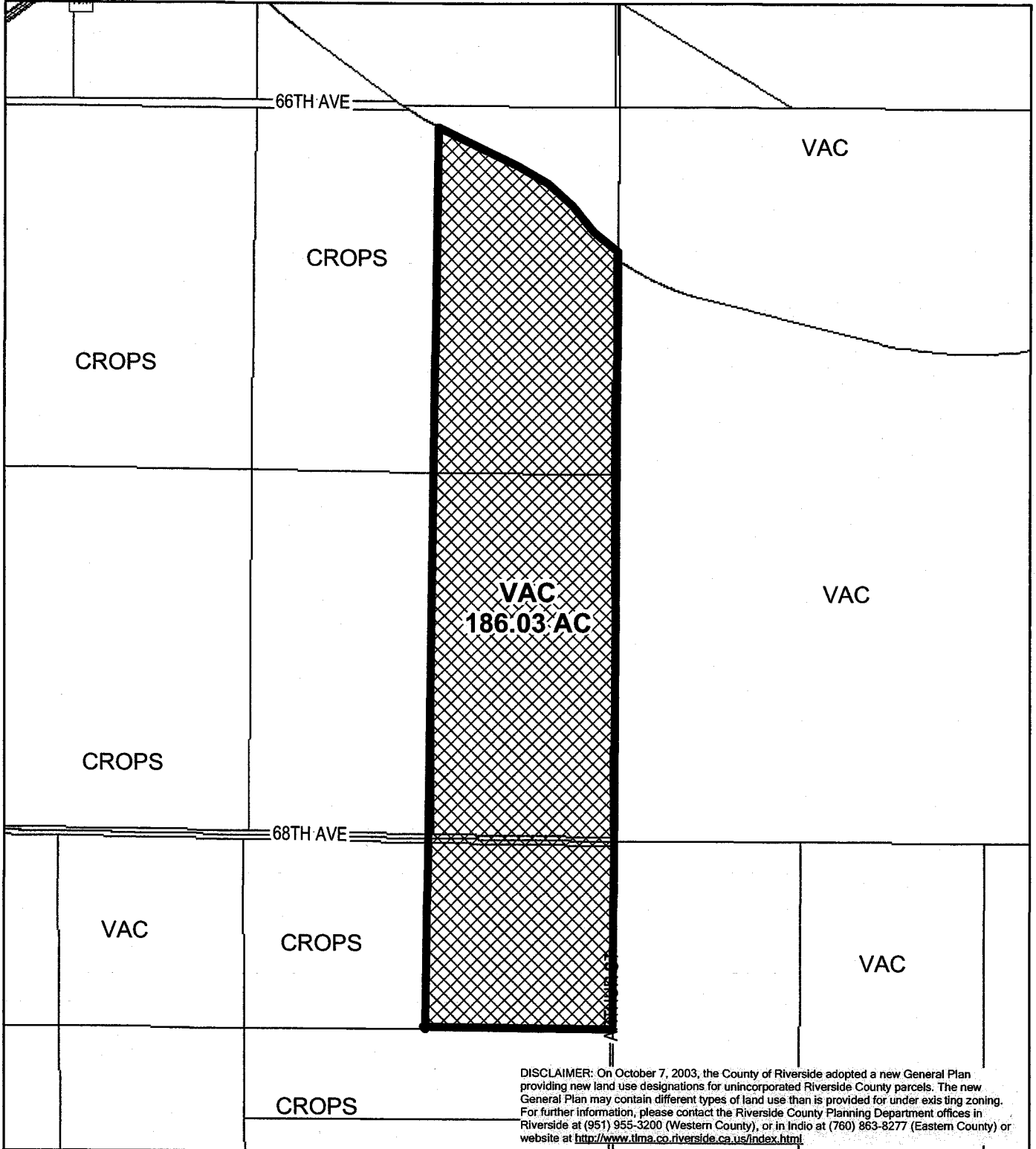
Assessors 727-31,32
Bk. Pg. 729 -08
Thomas Bros. Pg. 5592 E7

District: Lower Coachella Valley
Township/Range: T7SR9E
Section : 13 & 24



CZ07695 AG01006

Land Use



DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-3200 (Western County), or in Indio at (760) 863-8277 (Eastern County) or website at <http://www.tlma.co.riverside.ca.us/index.html>

RIVERSIDE COUNTY PLANNING DEPARTMENT

District: Lower Coachella Valley
Township/Range: T7SR9E
Section: 13 & 24



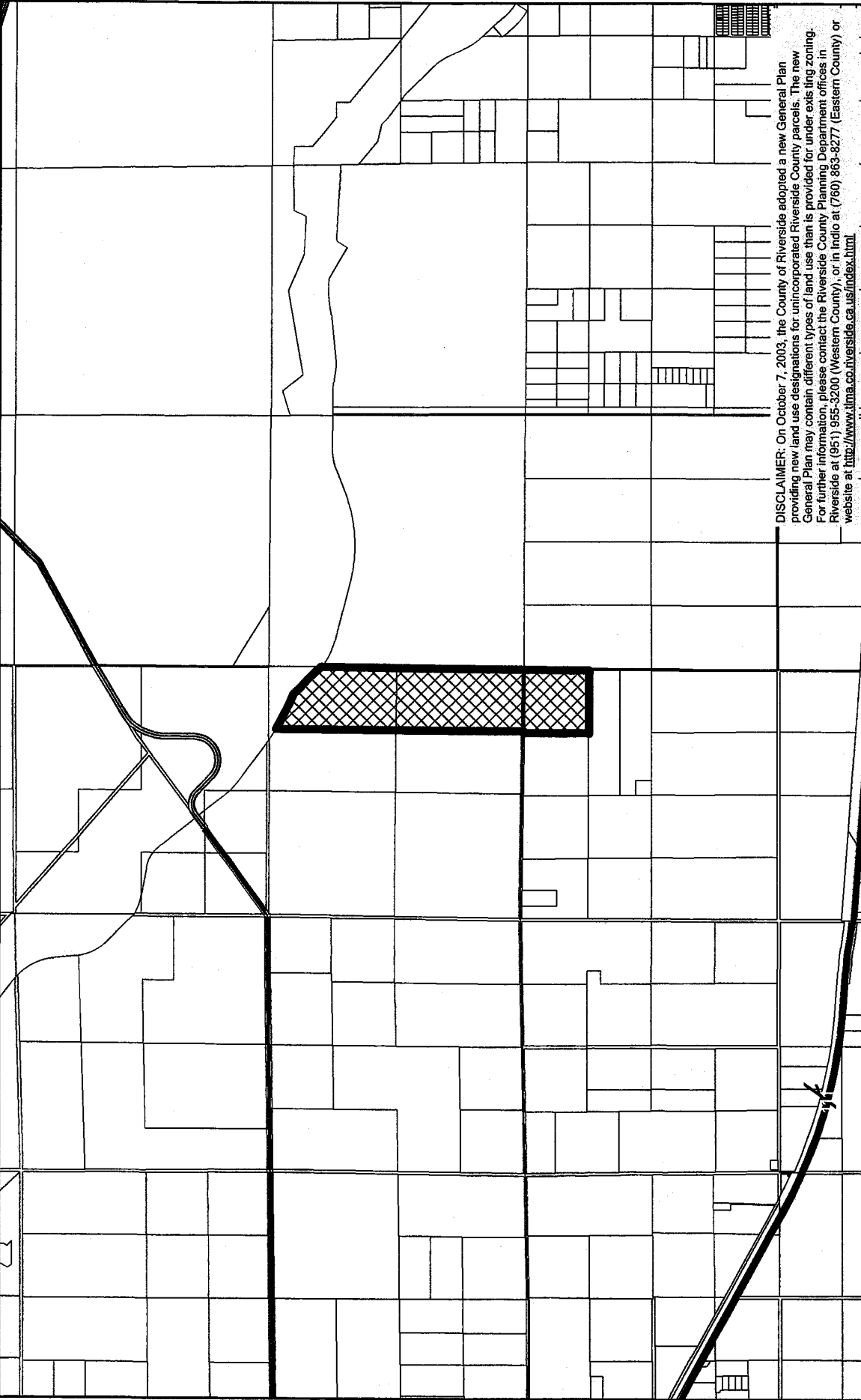
Assessors 727-31,32
Bk. Pg. 729-08
Thomas
Bros. Pg. 5592 E7



Supervisor Wilson
District 4
Date Drawn: 3/3/09

CZ07695 AG01006 POLICY AREAS

Planner: Kathleen Browne
Date: 4/15/09
Exhibit 8



District: Lower Coachella Valley
Township/Range: T7SR9E
Section : 13 & 24

RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors 727-31,32
Blk. Pg. 729-08

Thomas Bros. Pg. 727 E2



NOTICE OF PUBLIC HEARING

A PUBLIC HEARING has been scheduled before the **RIVERSIDE COUNTY PLANNING COMMISSION** to consider the project shown below:

CHANGE OF ZONE NO. 7695 - CEQA Exempt – Applicant: Belk Holdings – Fourth Supervisorial District – Location: Lower Coachella Valley, Eastern Coachella Valley Area Plan, and more generally located northerly and southerly of and adjacent to 68th Avenue, southerly of 66th Avenue, easterly of Garfield Street, westerly of and adjacent to Arthur Street- **REQUEST:** Pursuant to Ordinance No. 348, Riverside County Land Use Ordinance, the change of zone proposes to change the zoning on the subject property from Controlled Development Areas (W-2) to Heavy Agriculture - 10 acre minimum lot size (A-2-10) to facilitate entry into an existing agricultural preserve pursuant to the California Land Conservation Act of 1965 (Williamson Act) and the County's Rules and Regulations Governing Agricultural Preserves in Riverside County. (Legislative)

TIME OF HEARING: 1:30 P.M. or as soon as possible thereafter.
DATE OF HEARING: April 15, 2009
PLACE OF HEARING: RIVERSIDE COUNTY ADMINISTRATIVE CENTER
BOARD CHAMBERS, 1ST FLOOR
4080 LEMON STREET
RIVERSIDE, CA 92501

For further information regarding this project, please contact Kathleen Browne, Project Planner at 951-955-4949 or e-mail kbrowne@rctlma.org, or go to the County Planning Department's Planning Commission agenda web page at www.tlma.co.riverside.ca.us/planning/pc.html

The Riverside County Planning Department has determined that the above project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA). The Planning Commission will consider the proposed project and the notice of exemption at the public hearing. The case file for the proposed project and the notice of exemption may be viewed Monday through Friday, 8:30 a.m. to 4:30 p.m., (with the exception of Noon-1:00 p.m. and holidays) at the County of Riverside Planning Department, 4080 Lemon Street, 9th Floor, Riverside, California, 92501. For further information or an appointment, contact the project planner.

Any person wishing to comment on a proposed project may do so, in writing, between the date of this notice and the public hearing or appear and be heard at the time and place noted above. All comments received prior to the public hearing will be submitted to the Planning Commission, and the Planning Commission will consider such comments, in addition to any oral testimony, before making a decision on the proposed project.

If you challenge this project in court, you may be limited to raising only those issues you or someone else raised at the public hearing, described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing. Be advised that, as a result of public hearings and comment, the Planning Commission may amend, in whole or in part, the proposed project. Accordingly, the designations, development standards, design or improvements, or any properties or lands, within the boundaries of the proposed project, may be changed in a way other than specifically proposed.

Please send all written correspondence to:

COUNTY OF RIVERSIDE PLANNING DEPARTMENT
Attn: Kathleen Browne, Project Planner
P.O. Box 1409, Riverside, CA 92502-1409

PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN, certify that on 2/27/09

The attached property owners list was prepared by Riverside County GIS,

APN (s) or case numbers CZ07695 For

Company or Individual's Name Planning Department

Distance buffered 600' 2400'

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 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

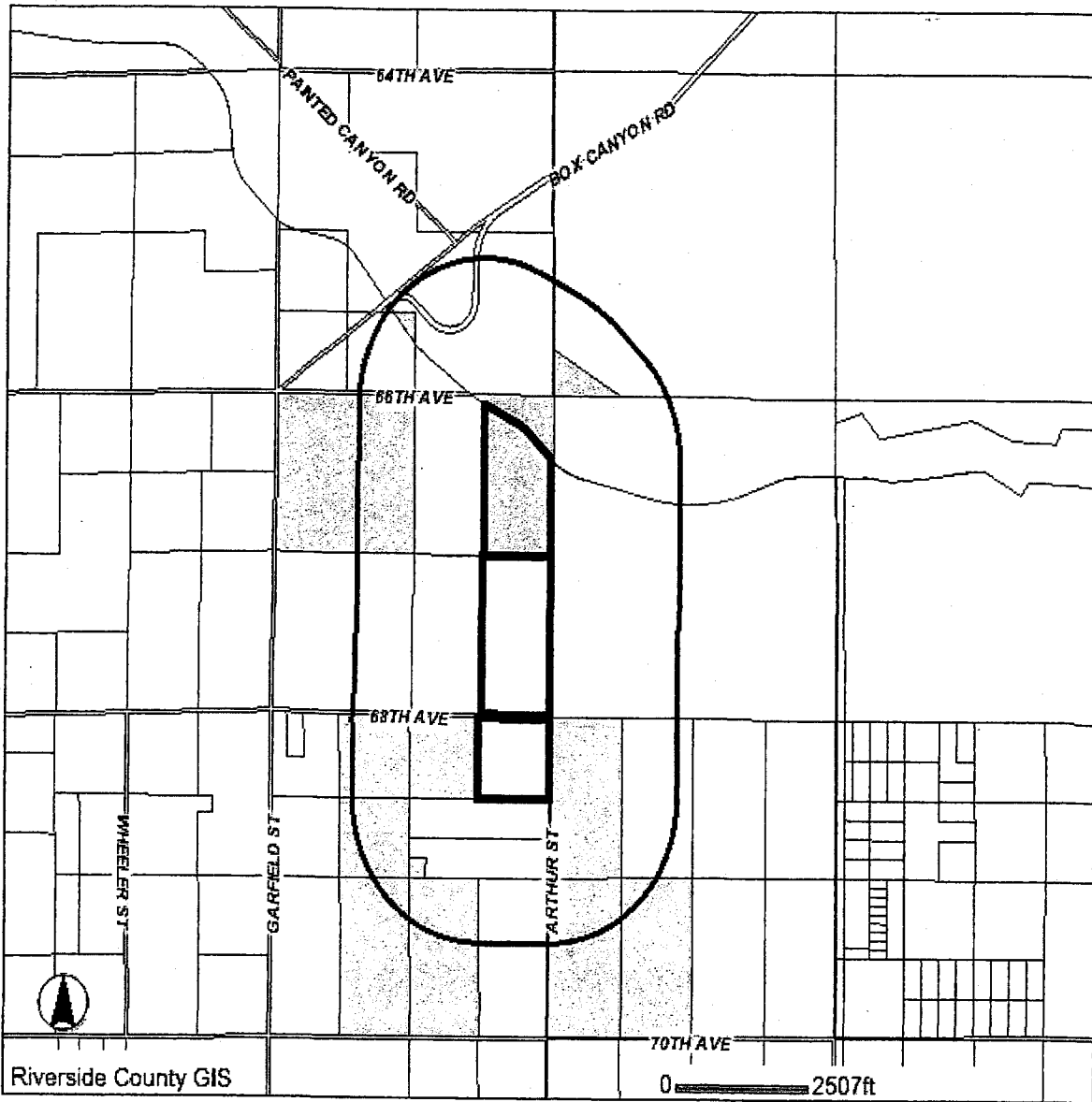
TITLE GIS Analyst

ADDRESS: 4080 Lemon Street 2nd Floor

Riverside, Ca. 92502

TELEPHONE NUMBER (8 a.m. - 5 p.m.): (951) 955-8158

2400 feet buffer



Selected parcel(s):

- 721-020-010
- 721-100-001
- 721-110-001
- 721-110-002
- 727-242-011
- 727-310-001
- 727-310-004
- 727-310-010
- 729-080-023
- 729-080-026
- 729-080-027
- 729-080-030
- 729-080-039
- 729-080-044

IMPORTANT

This information is made available through the Riverside County Geographic Information System. The information is for reference purposes only. It is intended to be used as base level information only and is not intended to replace any recorded documents or other public records. Contact appropriate County Department or Agency if necessary. Reference to recorded documents and public records may be necessary and is advisable.

MAP PRINTED ON...02/27/2009

NOTICE OF A PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY TO ENLARGE COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 83 IN THE EASTERN COACHELLA VALLEY AREA, FOURTH SUPERVISORIAL DISTRICT

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Annex, County Administrative Center, 4080 Lemon St., Riverside, on **June 2, 2009** to consider the application submitted by Belk Holdings, LLC, on **Agricultural Preserve Case No. 1006**. As proposed, the project would enlarge Coachella Valley Agricultural Preserve No. 83 by adding approximately 186-acres (consisting of three parcels), located in eastern Riverside County, north and south of and adjacent to 68th Avenue, southerly of 66th Avenue, easterly of Garfield Street, west of and adjacent to Arthur Street. Associated with the agricultural preserve case is **Change of Zone No. 7695**, which proposes to change the zoning on the subject site from Controlled Development Areas (W-2) to Heavy Agriculture – 10 acre minimum lot size (A-2-10). The parcels lie in portions of Section 13 and Section 24, Township 7 South, Range 9 West, S. B. B. & M., and affects Assessor's Parcel Numbers 927-310-010, 727-320-006 and 729-080-037. In the event that the Riverside County Board of Supervisors approves the enlargement of this preserve at the public hearing, it is the intent of the Board to enter into a Land Conservation Contract pursuant to the Land Conservation Act of 1965 (Williamson Act) for the property located within the enlargement area of the agricultural preserve.

The Planning Department has found that the proposed enlargement of this agricultural preserve is exempt from the California Environmental Quality Act (CEQA) pursuant to a Class 17 exemption and pursuant to the Riverside County Rules to Implement CEQA and has issued a notice of exemption.

The proposed project case file, and related notice of exemption and associated change of zone, may be viewed from the date of this notice until the public hearing, Monday through Friday, from 8 a.m. to 5 p.m. at the Clerk of the Board of Supervisors at 4080 Lemon St., 1st Floor, Riverside, CA 92501; and at the Central Files Division of Riverside County Planning Department at 4080 Lemon St., 9th Floor, Riverside, CA 92502.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT KATHLEEN BROWNE, PROJECT PLANNER, AT (909) 955-4949.

Any person wishing to testify in support of, or in opposition to, the proposed project may do so in writing between the date of this notice and the public hearing, or may appear and be heard at the time and place noted above. All written comments received prior to the public hearing will be submitted to the Board of Supervisors and the Board of Supervisors will consider such comments, in addition to any oral testimony, before making a decision on the proposed project.

If you challenge the above item in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence to the Board of Supervisors at, or prior to the public hearing. Be advised that, as a result of public hearings and the consideration of all public comment, written and oral, the Board of Supervisors may amend, in whole or in part, the boundaries of the proposed enlargement of the agricultural preserve. Accordingly the boundaries of the proposed enlargement of the agricultural preserve or lands within its boundaries may be changed in a way other than specifically proposed.

Please send all written correspondence to:

Clerk of the Board
4080 Lemon Street, 1ST Floor
Post Office Box 1147
Riverside, CA 92502-1147

Dated:

Nancy Romero
Clerk of the Board
By: _____

PUBLICATION:

DATE PUBLISHED:

PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN, certify that on 2/27/09,

The attached property owners list was prepared by Riverside County GIS,

APN (s) or case numbers CZ07695 For

Company or Individual's Name Planning Department,

Distance buffered 600' 2400'.

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 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

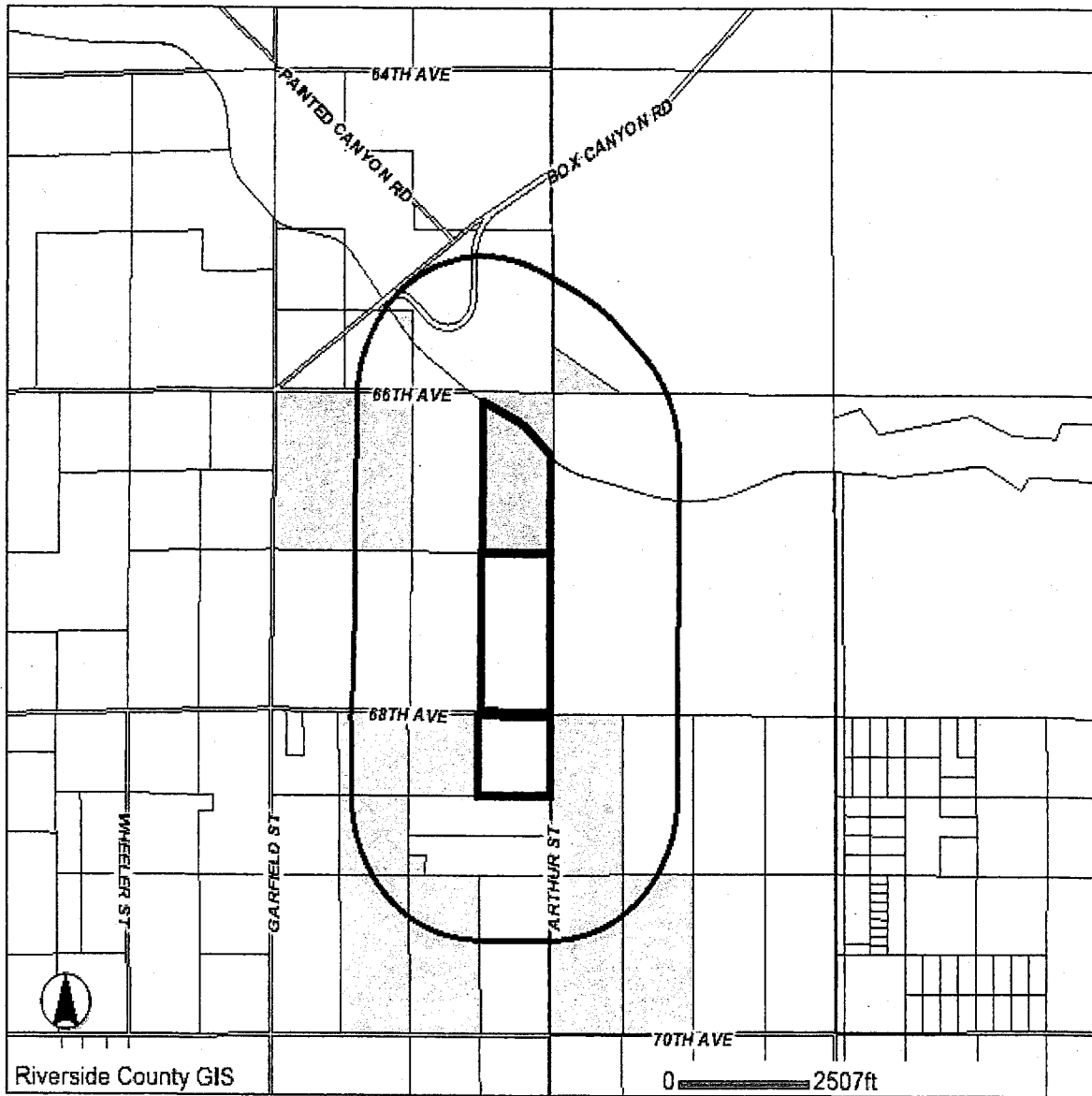
TITLE GIS Analyst

ADDRESS: 4080 Lemon Street 2nd Floor

Riverside, Ca. 92502

TELEPHONE NUMBER (8 a.m. – 5 p.m.): (951) 955-8158

2400 feet buffer



Selected parcel(s):

721-020-010 721-100-001 721-110-001 721-110-002 727-242-011 727-310-001 727-310-004
 727-310-010 729-080-023 729-080-026 729-080-027 729-080-030 729-080-039 729-080-044

IMPORTANT

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MAP PRINTED ON...02/27/2009



APN: 721020010 ASMT: 721020010
USA 721
NONE
US DEPT OF INTERIOR
WASHINGTON DC 21401

APN: 721100001 ASMT: 721100001
SAM PERRICONE
P O BOX 21845
LOS ANGELES CA 90021

APN: 721110001 ASMT: 721110001
SHERRI STEINHAUER
5010 HAMMERSLEY RD
MADISON WI 53711

APN: 721110002 ASMT: 721110002
AQUA FARMING TECH INC
P O BOX 733
INDIO CA 92202

APN: 727242011 ASMT: 727242011
COUNTY OF RIVERSIDE
C/O DEPARTMENT OF BLDG SERV REAL PROP
3133 MISSION INN AVE
RIVERSIDE CA 92507

APN: 727310001 ASMT: 727310001
VLADIMIR G TUDOR
MARION P TUDOR
CHERYL G TUDOR
DICA PARTNERS
C/O CECILIA TUDOR
93400 HAMMOND RD
MECCA CA 92254

APN: 727310004 ASMT: 727310004
USA 727
NONE
US DEPT OF INTERIOR
WASHINGTON DC 21401

APN: 727310010 ASMT: 727310010
BELK HOLDINGS
P O BOX 24
COACHELLA CA 92236

APN: 729080023 ASMT: 729080023
MARION P TUDOR
CHERYL G TUDOR
DICA PARTNERS
96400 HAMMOND BLVD
MECCA CA 92254

APN: 729080026 ASMT: 729080026
K&W FARMS INC
ALAN WEEKS
73286 BURSERA WAY
PALM DESERT CA 92260

APN: 729080027 ASMT: 729080027
STEVCO
9777 WILSHIRE BLV NO 918
BEVERLY HILLS CA 90212

APN: 729080030 ASMT: 729080030
J MICHAEL WEEKS
JUDITH L WEEKS
73386 BURSERA WAY
PALM DESERT CA 92260

APN: 729080039 ASMT: 729080039
USA 729
NONE
US DEPT OF INTERIOR
WASHINGTON DC 21401

APN: 729080044 ASMT: 729080044
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WASHINGTON DC 21401

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C/O LOWELL WEEKS
73286 BURSERAY WAY
PALM DESERT CA 92260



4th Supervisor District
Roy Wilson, Supervisor
Board of Supervisors, Riverside County
Mail Stop 1004

ATTN: Ed Kibbey
Building Industry Assoc.
77-570 Springfield Ln., Suite E
Palm Desert, CA 92211-0473

California Rural Legal Assistance, Inc.
Coachella Migrant
1460 6th St.
P.O. Box 35
Coachella, CA 92236

California State
Dept. of Parks & Recreation
1416 9th St., Rm 1435
P.O. Box 942896
Sacramento, CA 95814

ATTN: Assemblywoman Bonnie Garcia
California State Assembly
80th District
68-700 Avenida Lalo Guerrero, Suite B
Cathedral City, CA 92234-1208

ATTN: Representative Mary Bono
California State Representatives
45th District
1600 E. Florida Ave., Suite 301
Hemet, CA 92544

ATTN: Senator Jim Battin
California State Senate, 37th District
73-710 Fred Waring Dr., Suite 112
Palm Desert, CA 92260-2574

ATTN: Guadalupe Barrera
Carver Tract Board of Directors
P.O. Box 2466
Indio, CA 92201

ATTN: Baldemar Barrera
Carver Tract Mutual Water Corp.
84086 Corregidor Ave.
P.O. Box 2466
Indio, CA 92201-6266

ATTN: Santos Garcia
Chiriaco Summit
Community Action Committee
62-450 Chiriaco Rd.
Chiriaco Summit, CA 92201

City of Mecca Library
65250 Coachella St.
P.O. Box 266
Mecca, CA 92254-6602

Coachella Library
1538 Seventh St.
Coachella, CA 92236

Coachella Valley
Archaeological Society
P.O. Box 2344
Palm Desert, CA 92263

Coachella Valley
Assoc. of Government
73-710 Fred Waring Dr., Suite 200
Palm Desert, CA 92260-2553

Coachella Valley Cemetery
82925 Ave. 52
Coachella, CA 92236-9718

ATTN: John Mealey, Executive Director
Coachella Valley Housing Coalition
45-701 Monroe St., Suite G
Indio, CA 92201-3964

Coachella Valley
Mosquito and Vector Control District
43-420 Trader Pl.
Indio, CA 92201

Coachella Valley
Mountains Conservancy
33488 Lansford St.
Yucaipa, CA 92399-3441

Coachella Valley
Parks & Recreation District
45-305 Oasis St.
Indio, CA 92201-4337

Coachella Valley Preserve
29200 Thousand Palms Cyn Rd.
Thousand Palms, CA 92276

Coachella Valley Trails Council
2920 E. Via Vaquero Rd.
Palm Springs, CA 92262

Coachella Valley
Unified School District
87-225 Church St.
P.O. Box 847
Thermal, CA 92274-8901

Coachella Valley Water District
85995 Avenue 52
Coachella, CA 92236

College of the Desert
Community Education
43500 Monterey Ave.
Palm Desert, CA 92260-9305

ATTN: Phil Drell, Community
Development & Planning Director
Community Development & Planning
Department, City of Palm Desert
73-510 Fred Waring Dr.
Palm Desert, CA 92260

Community Service District,
Southern Coachella Valley
56-850 Higgins Dr.
P.O. Box 302
Thermal, CA 92274-9739

ATTN: Sue Sweeny
Del Webb Homeowners' Assoc.
38-180 Del Webb Blvd.
Bermuda Dunes, CA 92211

ATTN: Matt Johnson
Desert Business Park
Property Owners' Assoc.
45-445 Portola Ave., Suite 5
Palm Desert, CA 92260

Desert Office, Planning Department,
Riverside County
38686 El Cerrito Rd.
Palm Desert, CA 92211

Desert Sands Unified School District
47-950 Dune Palms Rd.
La Quinta, CA 92253-4000



Desert Tortoise Preserve Committee,
Inc.
4067 Mission Inn Ave.
Riverside, CA 92501

Imperial Irrigation District
333 E. Barioni Blvd.
P.O. Box 937
Imperial, CA 92251-1773

ATTN: Alfonso Rodriguez
Imperial Irrigation District
81600 Ave. 58
P.O. Box 1080
La Quinta, CA 92253-1080

Indio Chamber of Commerce
82503 Hwy. 111
Indio, CA 92201-5633

ATTN: Debra Scriven
Indio Hills Community Council
29705 Desert Charm Rd.
Indio Hills, CA 92241

Indio Hills Improvement Assoc.
P.O. Box 1165
Indio, CA 92202

Jacqueline Cochran Regional Airport
56-850 Higgins Dr.
Thermal, CA 92274

Joshua Tree National Park,
National Park Service,
U.S. Department of the Interior
74485 National Park Dr.
Twenty-nine Palms, CA 92277-3533

La Quinta Chamber of Commerce
78-275 Calle Tampico #B
La Quinta, CA 92253

Max T. McCandless Memorial Library
200 Civic Center Mall
Indio, CA 92201-4451

ATTN: Maria Rios
Mecca Community Council
P.O. Box 1267
Mecca, CA 92254

ATTN: Tom Sherer
Myoma Dunes Community Assoc.
79-291 Ave. 40
Bermuda Dunes, CA 92203

Myoma Dunes Water Company
79-050 Ave. 42
Bermuda Dunes, CA 92201-8002

North Shore Improvement Assoc.
P.O. Box 3396
North Shore, CA 92254

ATTN: Limbaria Contreras
Oasis Community Council
88-624 76th Ave.
Thermal, CA 92274

ATTN: Jeannie Kays, City Librarian
College of the Desert
Palm Desert Library
73-300 Fred Waring Drive
Palm Desert, CA 92260-2870

Palm Springs Field Station
Bureau of Land Management,
U.S. Department of the Interior
690 W. Garnet Ave.
P.O. Box 581260
N. Palm Springs, CA 92258-1260

ATTN: Jim Porras
c/o Sophia Nolasco, Planning
Commission Secretary
Planning Commission, Riverside
County
Mail Stop 1070

ATTN: Gabriel Papp, Planning Director
Planning Department,
City of Coachella
1515 Sixth St.
Coachella, CA 92236

Planning Department,
City of Rancho Cucamonga
10500 Civic Center Dr.
Rancho Cucamonga, CA 91730-3801

ATTN: Doug Evans, Planning Director
Planning Division, City of Palm Springs
P.O. Box 2743
Palm Springs, CA 92263

ATTN: Gail Cody
Riverside County Trails Committee
32-831 Avenue 54
Vista Santa Rosa, CA 92274-9554

Salton Sea State Park
100-225 State Park Rd.
P.O. Box 3166
North Shore, CA 92254

Sheriff's Department
82-695 Dr. Carreon Blvd.
Indio, CA 92201-6907

Southern Coachella Valley
Advisory Committee
P.O. Box 302
Thermal, CA 92274

ATTN: Leslie Grosjean
SunLine Transit Agency
32-505 Harry Oliver Trl.
Thousand Palms, CA 92276

ATTN: Jeff Morgan
Tahquitz Group, Sierra Club
P.O. Box 4944
Palm Springs, CA 92263

ATTN: Joan Taylor
Tahquitz Group, Sierra Club
1850 Smoke Tree Ln
Palm Springs, CA 92264

The Desert Sun
750 N. Gene Autry Trl.
P.O. Box 2734
Palm Springs, CA 92262-5463

Thermal Chamber of Commerce
P.O. Box 284
Thermal, CA 92274



Thermal Sanitary District
P.O. Box 363
Thermal, CA 92274

Torres-Martinez
Desert Cahuilla Indians
P.O. Box 1160
Thermal, CA 92274

Tri-Palm Unified Owners' Assoc.
P.O. Box 621
Thousand Palms, CA 92276-0621

Tri-Palms Estates CC
32-700 Desert Moon Dr.
Thousand Palms, CA 92276

Twenty Nine Palms
Band of Mission Indians
46-200 Harrison St.
Coachella, CA 92236

Verizon Engineering
1980 Orange Tree Ln., Rm #100
Redlands, CA 92374

Vista Santa Rosa Community Council
c/o Betty Talley
82-836 Beckman Dr.
Thermal, CA 92274

COUNTY OF RIVERSIDE

TRANSPORTATION AND LAND MANAGEMENT AGENCY

George A. Johnson · Agency Director

Planning Department

Ron Goldman · Planning Director

NOTICE OF EXEMPTION

TO: Office of Planning and Research (OPR) P.O. Box 3044 Sacramento, CA 95812-3044
 County of Riverside County Clerk

FROM: Riverside County Planning Department
 4080 Lemon Street, 9th Floor P. O. Box 1409 Riverside, CA 92502-1409

38686 El Cerrito Road Palm Desert, CA 92201

Project Title/Case No.: CHANGE OF ZONE NO. 7695 / AGRICULTURAL PRESERVE CASE NO. 1006

Project Location: In the unincorporated area of Riverside County, more specifically Assessor's Parcel No. 727-310-010, 727-320-006 and 729-080-037, located north and south of and adjacent to 68th Avenue, southerly of 66th Avenue, easterly of Garfield Street, west of and adjacent to Arthur Street in the lower Coachella Valley of eastern Riverside County.

Project Description: A request to change the zoning on the three (3) parcels totalling approximately 186 acres from Controlled Development Areas (W-2) to Heavy Agriculture - 10 acre minimum lot size (A-2-10) to facilitate entry into an existing agricultural preserve pursuant to the California Land Conservation Act of 1965 (GC§51200 et seq.) and the County's Rules and Regulations Governing Agricultural Preserves in Riverside County.

Name of Public Agency Approving Project: Riverside County

Project Sponsor: Belk Holdings, LLC


Exempt Status: (Check one)

- Ministerial (Sec. 21080(b)(1); 15268) Categorical Exemption (15317)
 Declared Emergency (Sec. 21080(b)(3); 15269(a)) Statutory Exemption ()
 Emergency Project (Sec. 21080(b)(4); 15269 (b)(c)) Other: _____

Reasons why project is exempt: Establishment of agricultural preserves, making and renewal of Williamson Act contracts, and acceptance of open space property are categorically exempt under CEQA.

Findings:

1. The proposal is located within the unincorporated areas of Riverside County
2. The proposed will not have adverse effects upon the environment.
3. The proposal, will not individually or cumulatively, have an adverse effect on wildlife resources.
4. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Kathleen A. Browne 951-955-4949
County Contact Person Phone Number
 Urban Regional Planner III 02/26/09
Signature Title Date

Date Received for Filing and Posting at OPR: _____

Y:\Planning Case Files-Riverside office\AG01006\ICZ07695-AG01006_NOE.doc

Please charge deposit fee case#: ZEA ZCFG05473

FOR COUNTY CLERK'S USE ONLY

*Case No: CFG05473 *

Applied: 02/03/2009

CFG FEE PAYMENT

Proposal: CZ07695 WITH NOE REQUIRED PRIOR TO PINKS

Appl Type: CFG3 CALIF FISH & GAME: DOC FEE

Location:

Project size: F/A:

Min lot size: F/A:

Lots/units:

Assessor Parcel No: 729080037

Section: Twnshp/Range:

Supervisor District:

Census Tract:

Team:

Zoning:

Zoning Area/Dist:

Developer Agreement:

Open Space & Cons Elem:

Community Plan:

Category/Designation:

EA:

Concurrent Cases:

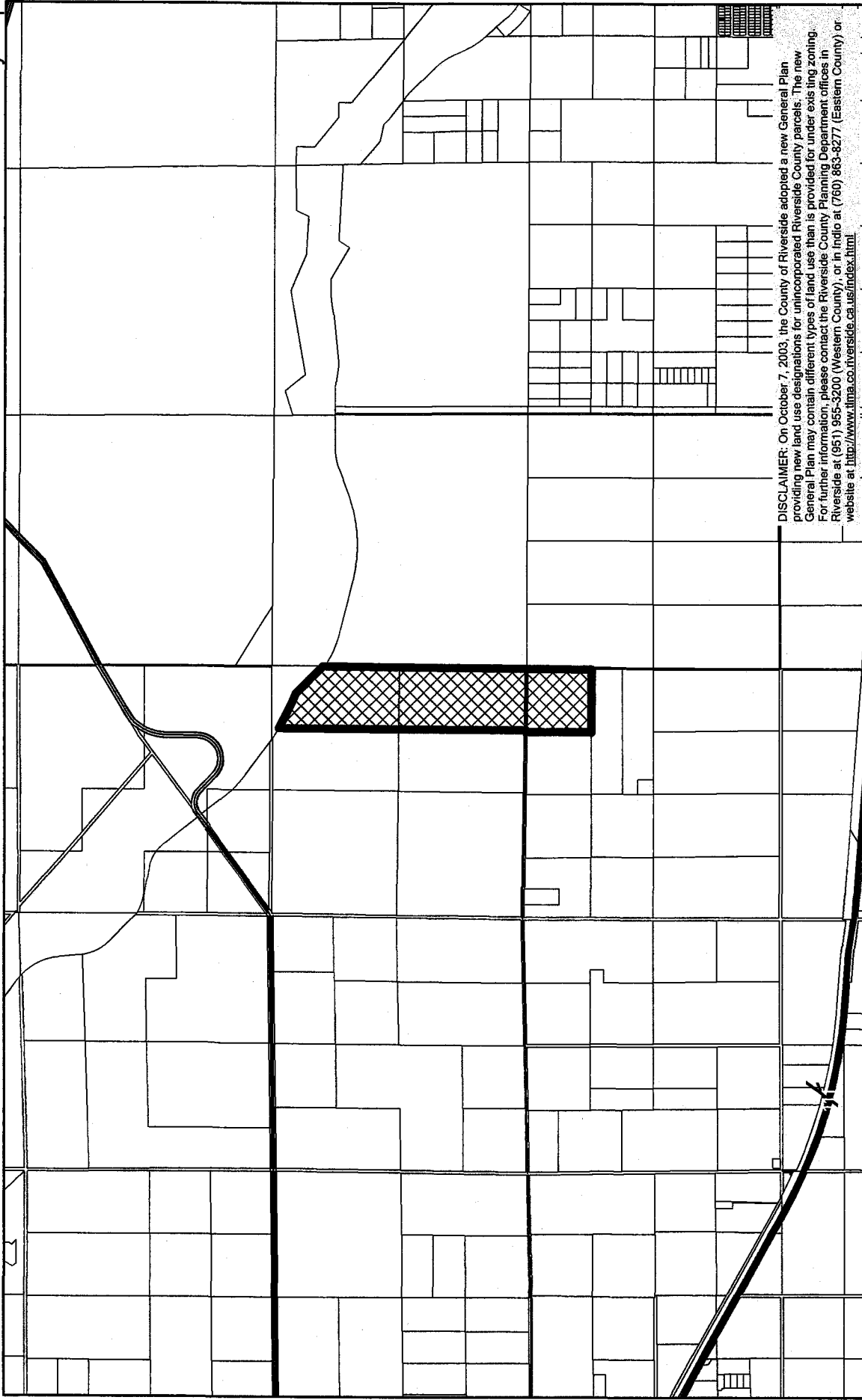
Related Cases:

OWNER	BELK HOLDING LLC P.O.BOX 24 COACHELLA, CA 92236	02/03/2009 Phone: 760 399-5951
APPLICANT	KIMBERLIN MARK P.O. BOX 24 COACHELLA, CA 92236	02/03/2009 Phone: 760 399-5951
PLANNER	BROWNE KATHLEEN	02/03/2009

Supervisor Wilson
District 4
Date Drawn: 3/3/09

CZ07695 AG01006
VICINITY MAP

Planner: Kathleen Browne
Date: 4/15/09
Vicinity Map



DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-3200 (Western County), or in Indio at (760) 863-8277 (Eastern County) or website at <http://www.alpha.co.riverside.ca.us/index.html>.

RIVERSIDE COUNTY PLANNING DEPARTMENT

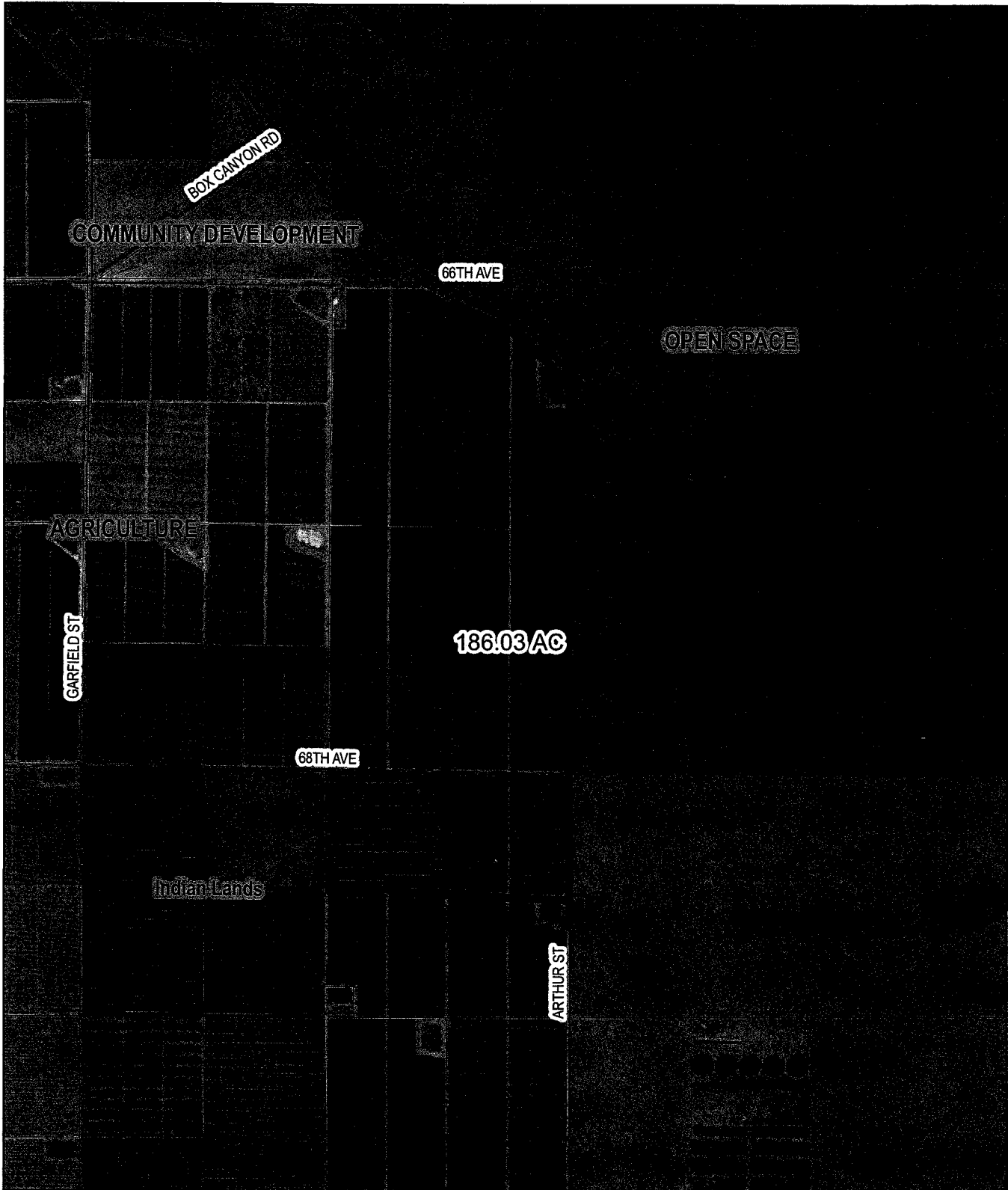
District: Lower Coachella Valley
Township/Range: T7SR9E
Section : 13 & 24

Assessors 727-31,32
Bk. Pg. 729-08
Thomas
Bros. Pg. 727 E2



CZ07695 AG01006

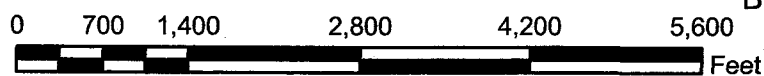
DEVELOPMENT OPPORTUNITY



RIVERSIDE COUNTY PLANNING DEPARTMENT Assessors 727-31,32

District: Lower Coachella Valley
Township/Range: T7SR9E
Section: 13 & 24

Bk. Pg. 729-08
Thomas
Bros. Pg. 5592 E7

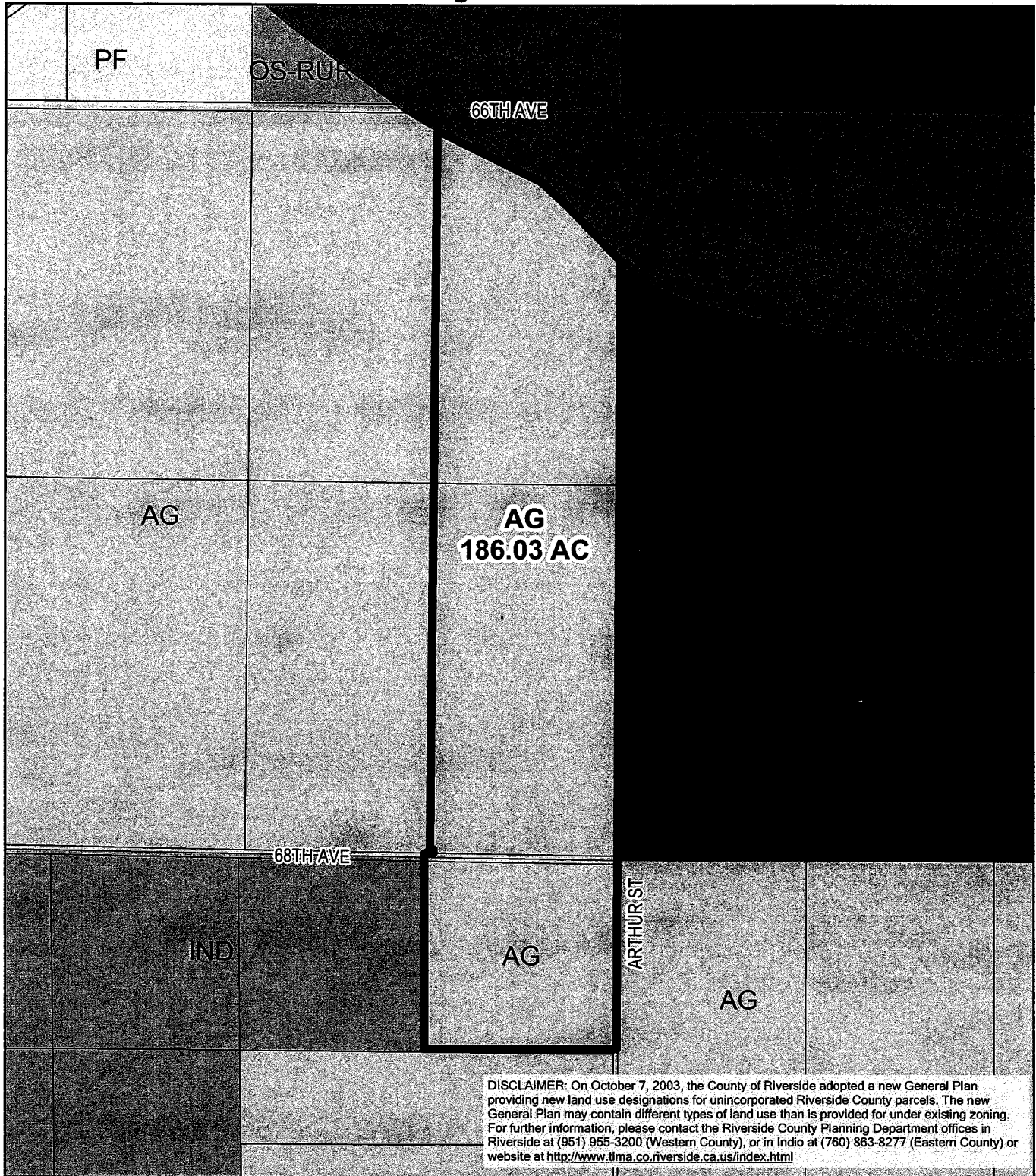


Supervisor: Wilson
District 4
Date Drawn: 3/3/09

CZ07695 AG01006

Existing General Plan

Planner: Kathleen Browne
Date: 4/15/09
Exhibit 5



RIVERSIDE COUNTY PLANNING DEPARTMENT

District: Lower Coachella Valley
Township/Range: T7SR9E
Section: 13 & 24



Assessors 727-31,32
Bk. Pg. 729-08
Thomas
Bros. Pg. 5592 E7

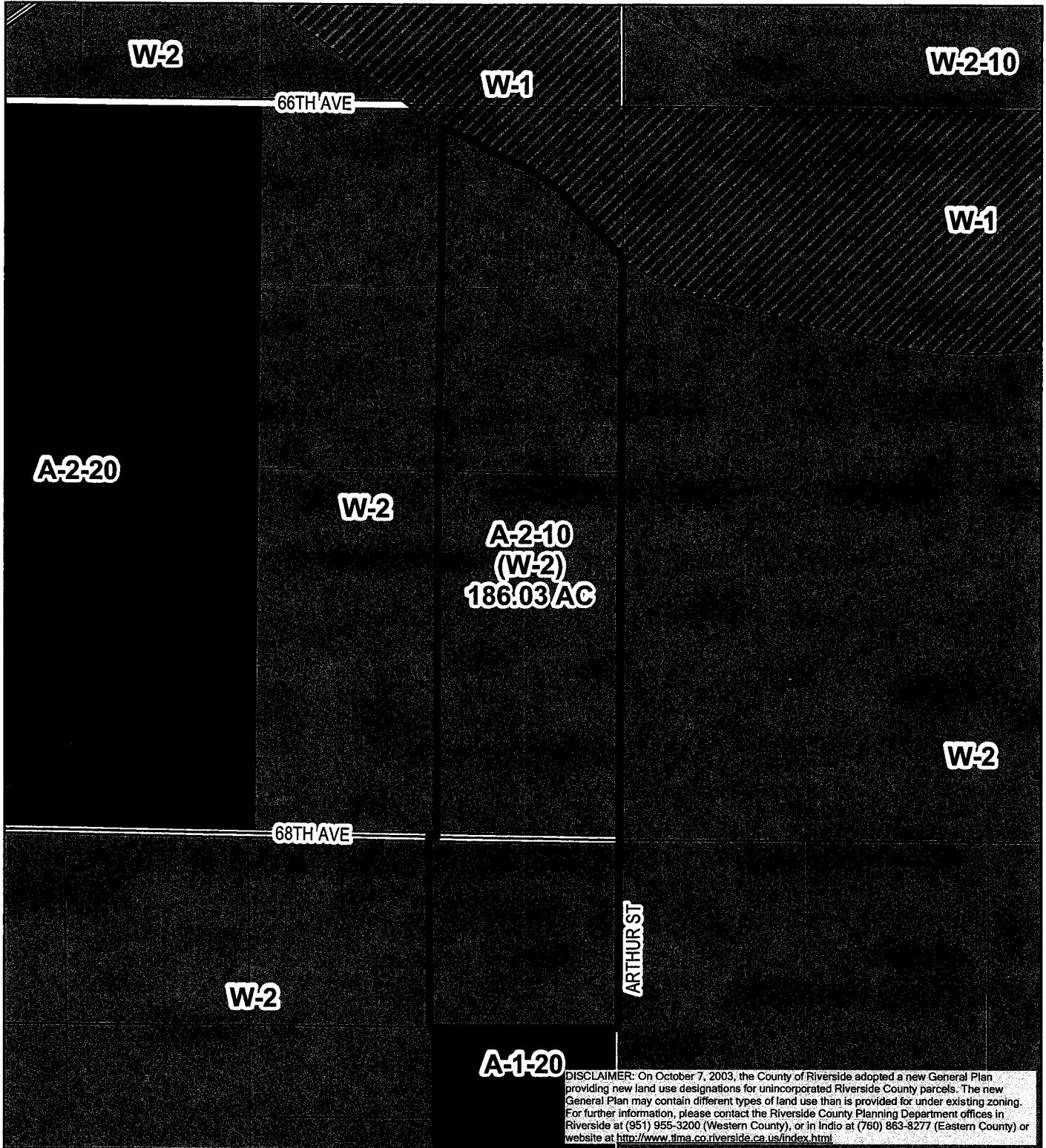


Supervisor Wilson
District 4
Date Drawn: 3/3/09

CZ07695 AG01006

PROPOSED ZONING

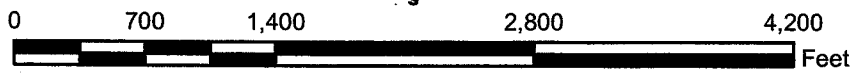
Planner: Kathleen Browne
Date: 4/15/09
Exhibit 3



RIVERSIDE COUNTY PLANNING DEPARTMENT

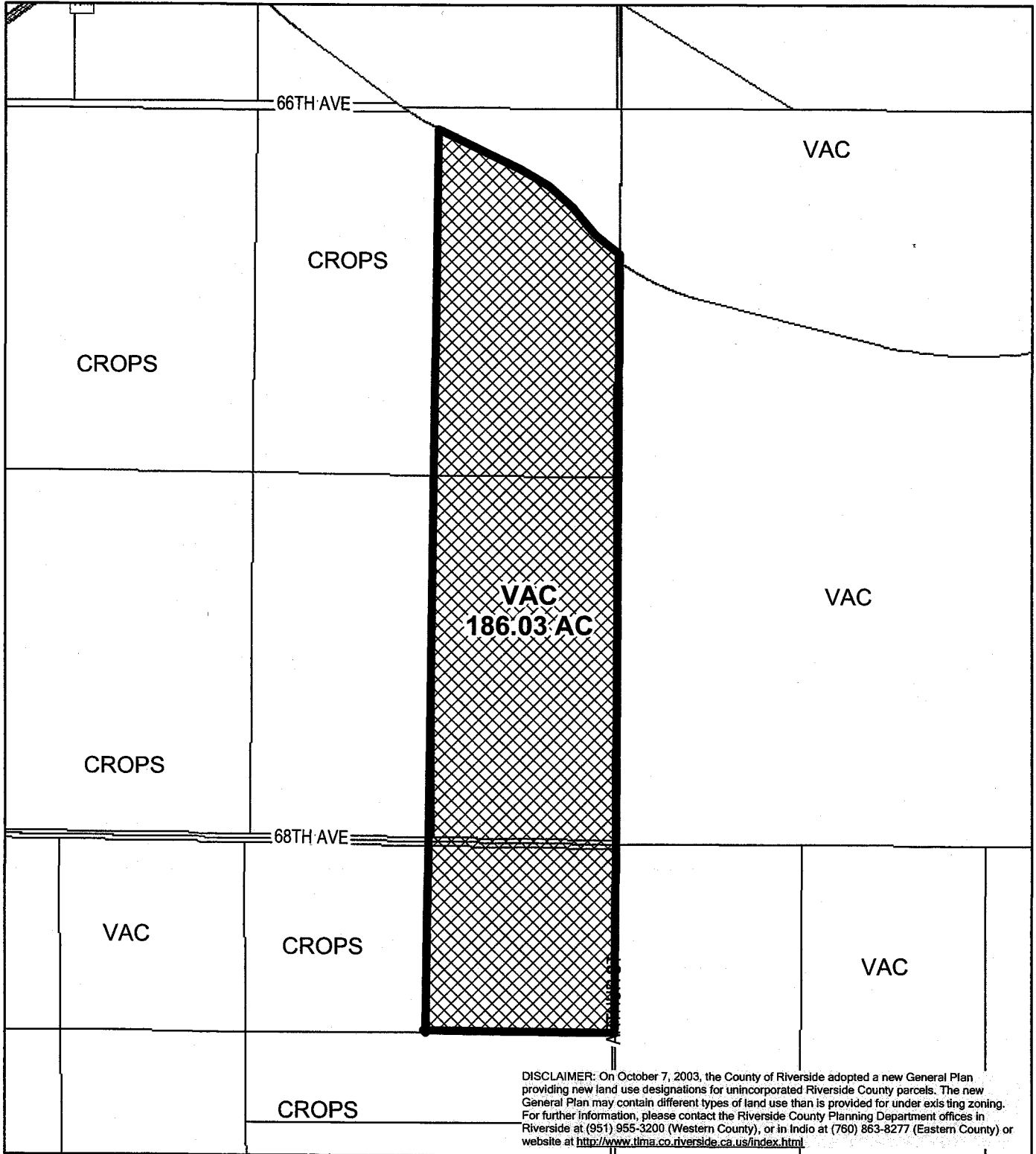
District: Lower Coachella Valley
Township/Range: T7SR9E
Section : 13 & 24

Assessors 727-31,32
Bk. Pg. 729 -08
Thomas Bros. Pg. 5592 E7



CZ07695 AG01006

Land Use



DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-3200 (Western County), or in Indio at (760) 863-8277 (Eastern County) or website at <http://www.tima.co.riverside.ca.us/index.html>

RIVERSIDE COUNTY PLANNING DEPARTMENT

District: Lower Coachella Valley
Township/Range: T7SR9E
Section: 13 & 24



Assessors 727-31,32
Bk. Pg. 729-08
Thomas
Bros. Pg. 5592 E7

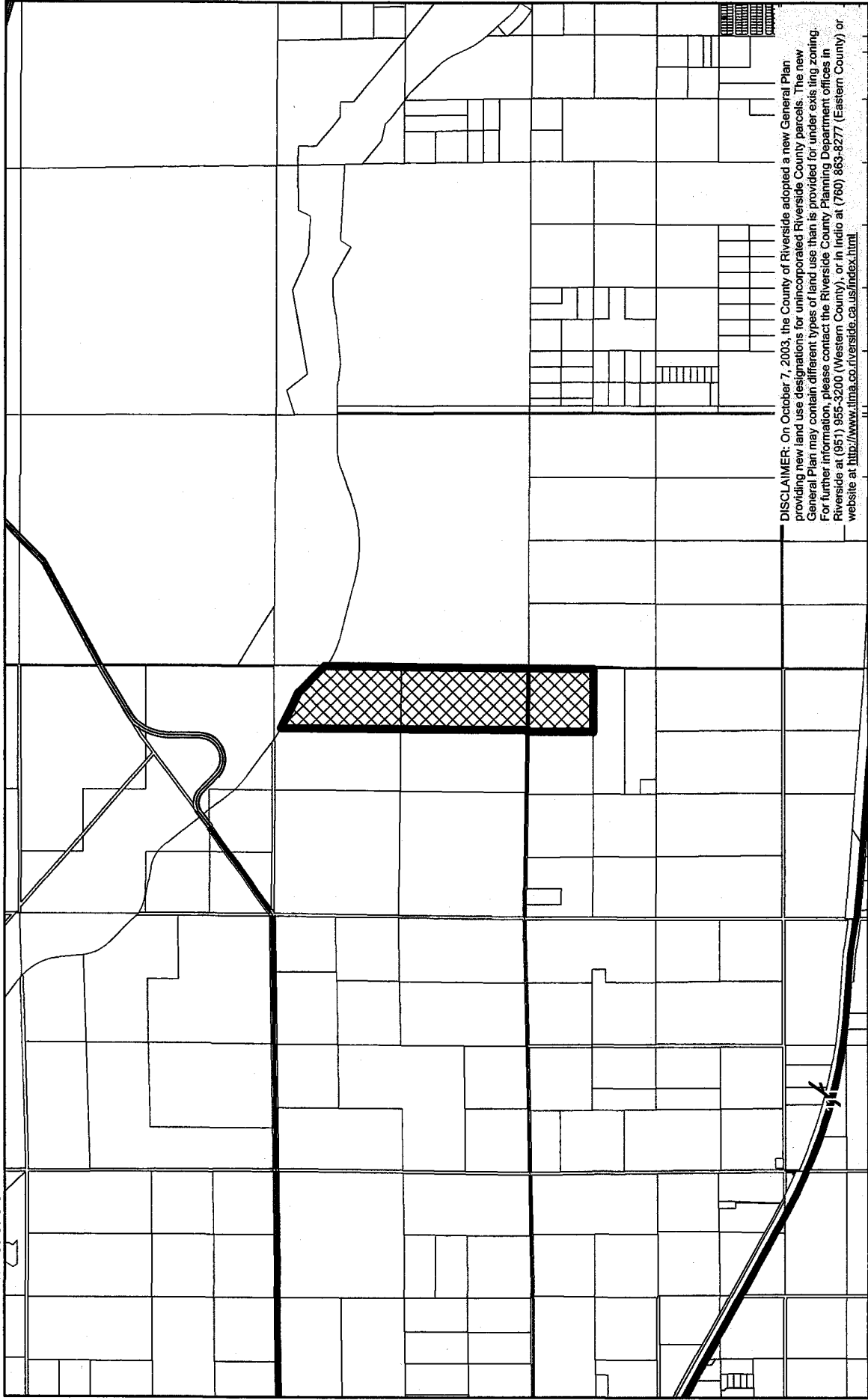


Supervisor Wilson
District 4
Date Drawn: 3/3/09

CZ07695 AG01006

POLICY AREAS

Planner: Kathleen Browne
Date: 4/15/09
Exhibit 8



DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-3200 (Western County), or in Indio at (760) 863-8277 (Eastern County) or website at <http://www.ltrm.ca.us/index.html>

District: Lower Coachella Valley
Township/Range: T7SR9E
Section : 13 & 24

RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors 727-31,32
Bk. Pg. 729-08
Thomas
Bros. Pg. 727 E2



RECORDING REQUESTED BY
RIVERSIDE COUNTY

THIS AREA FOR RECORDER'S USE ONLY

When recorded, return to:

Stop #1010
Clerk of the Board of Supervisors
Riverside CA, 1st Floor

No fee, 6103 Government Code

LAND CONSERVATION CONTRACT

COUNTY OF RIVERSIDE, herein called "County," and

Belk Holdings, LLC

herein called "Owner," mutually agree:

1. This contract is made pursuant to the California Land Conservation Act of 1965 (Government Code, Section 51200, et seq.) and affects the real property described in Exhibit "A" attached hereto and made a part of this contract, which lies within the Coachella Valley Agricultural Preserve No. 83, Map No. 1006.
2. This contract shall take effect on January 1, 2010, and shall remain in effect for an initial term of 10 years.
3. On each anniversary date of this contract, one year shall be added to the initial term unless notice of non-renewal shall be given as provided in Section 51245 of the Government Code. Any notice of non-renewal referring to this contract shall be recorded by the County in the office of the County Recorder whenever the contract is not renewed.
4. This contract may be canceled only in accordance with Section 51280, et seq., of the Government Code relating to cancellation, as now written or hereafter amended.
5. When any portion of land subject to this contract is acquired by condemnation of the fee title, or by purchase in lieu thereof, for a public improvement, this contract shall become null and void thereafter as to such portion, and may be amended to correctly reflect the description of any portion not so acquired.
6. In consideration of the execution hereof by County, and the execution by County and other owners within the preserve of similar contracts, the Owner, during the term of this contract, including any renewal period, agrees to use the described land only for agricultural uses and such compatible uses as are permitted by or pursuant to the Uniform Rules established for the administration of agricultural preserves by Riverside County Ordinance Number No. 509. Said Uniform Rules are by this reference incorporated in and made a part of this contract.
7. In consideration of the execution hereof by the Owner and the execution of similar contracts by other property owners within the same agricultural preserve, County agrees not to authorize uses, other than uses permitted by or pursuant to said Uniform Rules, within said agricultural preserve, during the term of this contract or any renewal thereof. Nothing herein shall prohibit a change of boundaries of said agricultural preserve to omit lands not subject to such contract or to include additional lands.
8. Any notice to be given to the Owner pursuant to this contract or said Uniform Rules may be sent by U.S. Mail addressed to the Owner at the address shown below the signature of the Owner. Like notices to County may be sent by U.S. Mail addressed to Clerk, Board of Supervisors, P.O. Box 1010, Riverside, CA 92502-1010. Either party may change such address by notice to the other.

9. This contract shall constitute a covenant running with the land herein described, and shall be binding upon and inure to the benefit of the heirs, successors and assigns of the parties hereto. This contract may be enforced by either party or by any owner of land within the same agricultural preserve which is subject to a similar contract.

Dated as of: ~~January 1, 2009~~
June 2, 2009

STATE OF CALIFORNIA
COUNTY OF RIVERSIDE

ATTEST:
Clerk of the Riverside County Board of Supervisors

BY _____
Chairman, Board of Supervisors

By _____
(Seal) Deputy

FORM APPROVED COUNTY COUNSEL
BY: Minh C. Tran 5/20/09
MINH C. TRAN DATE

OWNER(S) SIGNATURE AND ADDRESS

Owner: Belk Holdings, LLC
Owner: [Signature]
Owner: _____
Owner: _____

Mailing Address: P. O. Box 24, Coachella, CA 92236

NOTARY ACKNOWLEDGMENT

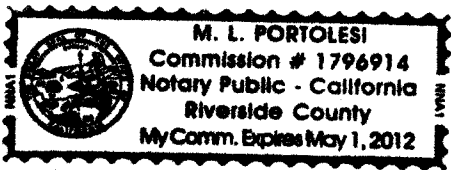
STATE OF CALIFORNIA)
COUNTY OF Riverside)
On March 11, 2009 before me, M. L. Portolesi, a Notary Public,
(Date) (Name and Title of officer)
personally appeared Drew Belk, who
(Name(s) of signer(s))
proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed 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 Sate of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

{SEAL}

[Signature]
Notary Public



**EXHIBIT A
COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 83
MAP NO. 1006
(Enlargement)**

The land referred to herein is situated in the State of California, County of Riverside, Unincorporated Area, described as follows:

PARCEL 1:

A parcel of land lying within the Northeast quarter of Section 13, Township 7 South, Range 9 East, San Bernardino Base and Meridian, being more particularly described as follows:

The Northeast quarter of Section 13, Township 7 South, Range 9 East, San Bernardino Base and Meridian;

EXCEPT that portion thereof conveyed to the United States of America as Parcel No. C60R1, by Deed recorded May 5, 1947 as Instrument No. 548 in Book 831, Page 338 of Official Records of Riverside County, California;

ALSO EXCEPT any portion thereof lying within the All American Canal as now established.

NOTE: Said legal description is described as Parcel 2 as pursuant to Lot Line Adjustment No. 05056, approved by the County of Riverside, Planning Department and recorded October 25, 2006 as Instrument No. 06-783408 of Official Records.

APN 727-310-010-9

PARCEL 2:

A parcel of land lying within the Southeast quarter of Section 13, Township 7 South, Range 9 East, San Bernardino Base and Meridian, being more particularly described as follows:

The Southeast quarter of Section 13, Township 7 South, Range 9 East, San Bernardino Base and Meridian.

NOTE: Said legal description is described as Parcel 4 as pursuant to Lot Line Adjustment No. 05056, approved by the County of Riverside, Planning Department and recorded October 25, 2006 as Instrument No. 06-783408 of Official Records.

APN: 727-320-006-7

PARCEL 3:

The Northeast quarter of the Northeast quarter of Section 24, Township 7 South, Range 9 East, San Bernardino Base and Meridian, being Torres-Martinez Allotment No. 228.

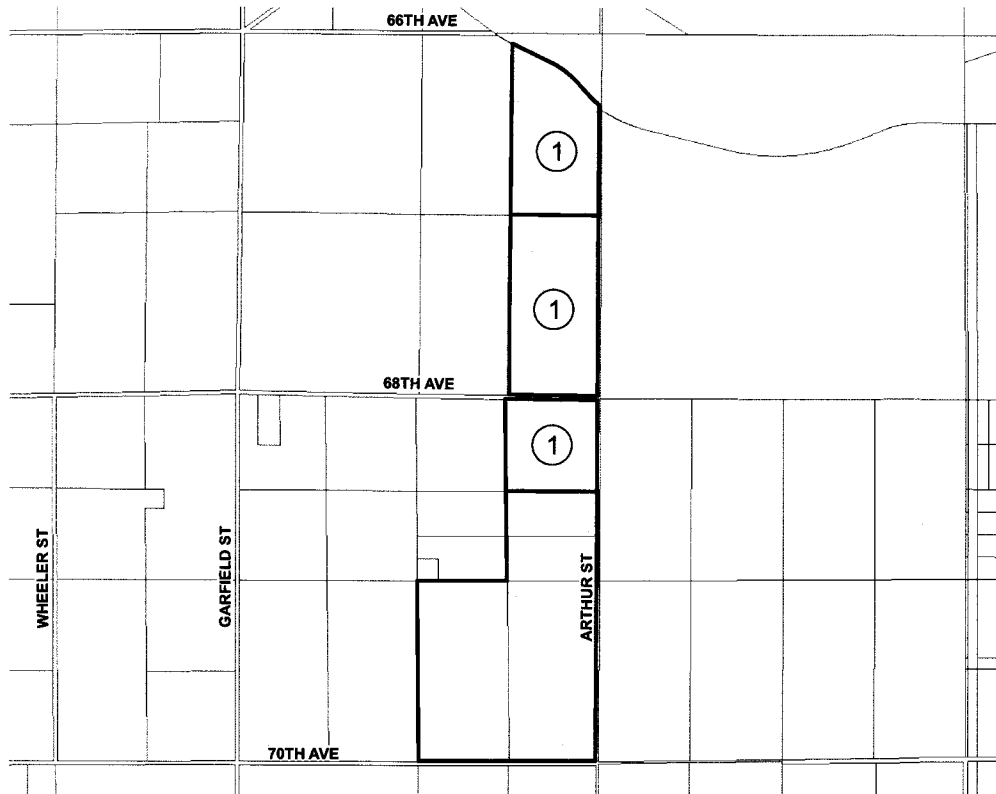
APN 729-080-037-8

Assessor Parcel No.	Acres	Owners
727-310-010-9	64.58	Belk Holdings, LLC
727-320-006-7	81.45	Belk Holdings, LLC
729-080-037-8	40.00	Belk Holdings, LLC
Total	186.03	

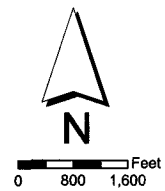
MAP NO. 445 COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 83

AMENDED BY MAP NO. 1006

T. 7 S., R. 9 E. S.B.B. & M.



AMENDMENTS:
NO. 1, (ENLARGEMENT), JUNE 2, 2009, MAP NO. 1006



ADOPTED ON AUGUST 2, 1977
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA.