

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

802 B



**FROM:** TLMA - Planning Department

**SUBMITTAL DATE:**  
May 18, 2009

**SUBJECT:** ADOPTION OF RESOLUTION NO. 2009-103, AGRICULTURAL PRESERVE CASE NO. 998 – CEQA Exempt – Applicant: Salvador Sanchez – First Supervisorial District – Rancho California Zoning Area – Southwest Area Plan – Location: Northerly of Calle Uva, south of and adjacent to Avenida Tierra, easterly of Calle Jardin and westerly of Avenida Tierra – 23.26 Acres – Zoning: Residential Agricultural - 10 Acre Minimum (R-A-10) – REQUEST: To change the zone on the subject property to Light Agriculture – 10 Acre Minimum (A-1-10) 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 Rancho California Agricultural Preserve No. 30, Amendment No. 4, Map No. 998, 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. 2009-103** enlarging Rancho California Agricultural Preserve No. 30;

Ron Goldman  
Planning Director

RG:kb

(Continued On Attached Pages)

REVIEWED BY COUNTY COUNSEL

REVIEWED BY EXECUTIVE OFFICE

DATE: 5/18/09  
TYPE NAME: Tina Grande

DATE: 5/18/09  
Tina Grande

Departmental Concurrence

Policy  
 Policy

Consent  
 Consent

Dept's Recomm.:  
Per Exec. Ofc.:

5/18/09 3:10

Prev. Agn. Ref.

District: First

Agenda Number:

16.3

The Honorable Board of Supervisors

RE: ADOPTION OF RESOLUTION NO. 2009-103, AGRICULTURAL PRESERVE CASE NO. 998

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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. 309;

**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. 7644, from R-A-10 to A-1-10, in accordance with Exhibit No. 2 pending final adoption of the final zoning ordinance by the Board of Supervisors; and,

**FINDINGS:**

1. The approximately 23-acre parcel is located in the southwestern portion of Riverside County near the Riverside/San Diego County line, northerly of Calle Uva, south of and adjacent to Avenida Tierra, easterly of Calle Jardin and westerly of Avenida Tierra.
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 23.26 acres, its gross acreage meeting the size requirement; is contiguous to Rancho California Agricultural Preserve No. 30; and, upon adoption of Final Change of Zone No. 7644, 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 Residential Agricultural – 10 acres minimum lot size (R-A-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, upon adoption of Final Change of Zone No. 7644, meets this zoning requirement.

6. Areas adjacent to the subject parcel on the north, south, east and west are zoned 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.
7. The agricultural use on the subject parcel is avocado and citrus groves. Surrounding properties support single family residential and agricultural uses, consisting of avocado and citrus trees.
8. The Riverside County Land Information System indicates that the subject property consists of Unique Farmlands.
9. The last annual assessed valuation of the subject parcel was \$1,016,485.00. The Assessor's Office has estimated that the assessed valuation of the property would decrease by \$271,482.00, 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. However, the Paleontological Sensitivity Map indicates that the general area of the subject parcel 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. Impacts on paleontological resources are not expected from enlarging Rancho California Agricultural Preserve No. 30 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 on site. 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. 30.

**CONCLUSION:**

1. The enlargement of Rancho California Agricultural Preserve No. 30, Amendment No. 4, Map No. 998, is consistent with the Riverside County General Plan.

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2. The enlargement of Rancho California Agricultural Preserve No. 30, Amendment No. 4, Map No. 998, is consistent with the zoning on the property.
3. The enlargement of Rancho California Agricultural Preserve No. 30, Amendment No. 4, Map No. 998, 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. 2009-103**

**ENLARGING AN AGRICULTURAL PRESERVE**

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5  
6       **BE IT RESOLVED**, by the Board of Supervisors of the County of Riverside, State of  
7 California, in regular session assembled on June 2, 2009, that, pursuant to the California  
8 Land Conservation Act of 1965 (Government Code Section 51200 et seq.), the Rancho  
9 California Agricultural Preserve No. 30, Map No. 411, is amended by adding thereto the  
10 area shown on the map entitled, "RANCHO CALIFORNIA AGRICULTURAL PRESERVE  
11 NO. 30, AMENDMENT NO. 4, (ENLARGEMENT), MAP NO. 998," and described by  
12 boundary description thereof, said map and description both being on file in the office of the  
13 Clerk of this Board.

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

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

21 ///

22 ///

FORM APPROVED COUNTY COUNSEL  
BY  4/24/09  
MICHELLE CLACK DATE

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, 1<sup>st</sup> Floor

No fee, 6103 Government Code

LAND CONSERVATION CONTRACT

COUNTY OF RIVERSIDE, herein called "County," and

Salvador L. Sanchez, Trustee, or his Successor(s) in Trust of THE SANCHEZ FAMILY TRUST, dated April 13, 2007

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 Rancho California Agricultural Preserve No. 30, Map No. 998.
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 no 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.

FORM APPROVED COUNTY COUNSEL  
By: Michelle Clack 5/11/09  
DATE  
MICHELLE CLACK

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

**OWNER(S) SIGNATURE AND ADDRESS**

Owner: Salvador Sanchez, Trustee

Owner: *Salvador Sanchez*

Owner: \_\_\_\_\_

Owner: \_\_\_\_\_

Mailing Address: 46111 Avenida Tierra, Temecula, CA 92590

**NOTARY ACKNOWLEDGMENT**

STATE OF CALIFORNIA )

COUNTY OF Riverside )

On Mar. 27 2009 before me, Dan H. Rubin Notary  
(Date) (Name and Title)

of officer) Salvador Sanchez  
personally appeared \_\_\_\_\_, 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

Dan H. Rubin

 DAN H. RUBIN  
COMM. #1651651  
Notary Public - California  
Riverside County  
My Comm. Expires Mar. 14, 2010

NRO1

NRO1

**EXHIBIT A**  
**RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 30**  
**MAP NO. 998**  
**(ENLARGEMENT)**

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

Parcel 41 of Parcel Map 6451 as per map thereof on file in Book 18, Pages 30 through 34, inclusive of Parcel Maps, Records of Riverside County.

<b>Assessor Parcel No.</b>	<b>Acres (net)</b>	<b>Owners</b>
<b>938-250-003-0</b>	<b>23.26</b>	<b>Salvador Sanchez, Trustee</b>
<b>TOTAL</b>	<b>23.26</b>	

# MAP NO. 411 RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 30

AMENDED BY MAP NO. 447, 468, 545, 998  
T. 8S., R.3W. S.B.B. & M.



**AMENDMENTS:**

- NO. 1, (ENLARGEMENT), AUGUST 2, 1977 , MAP NO. 447
- NO. 2, (ENLARGEMENT), FEBRUARY 14, 1978, MAP NO. 468
- NO. 3, (ENLARGEMENT), MARCH 23, 1982 ,MAP NO. 545
- NO. 4, (ENLARGEMENT), JUNE 2, 2009 ,MAP NO. 998

ADOPTED ON FEBRUARY 15, 1977  
BY THE BOARD OF SUPERVISORS  
OF THE COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA.

