

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

902B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
May 25, 2009

SUBJECT: ADOPTION OF RESOLUTION NO. 2009-105, AGRICULTURAL PRESERVE CASE NO. 1008 – CEQA Exempt – Applicant: Belk Holdings, LLC – Fourth Supervisorial District – Lower Coachella Valley Zoning District – Eastern Coachella Valley Area Plan: Agriculture (AG) – Location: South of and adjacent to 68th Avenue, east and west of and adjacent to Wheeler Street – 78.19 Acres – Zoning: Heavy Agriculture – 20 Acre Minimum (A-2-20) – REQUEST: To enlarge the affected agricultural preserve and enter the property located within the enlargement area into a Land Conservation Contract.

CONTROVERSIAL ISSUES: None

RECOMMENDED MOTION:

THE COMPREHENSIVE AGRICULTURAL PRESERVE TECHNICAL ADVISORY COMMITTEE, BY A MAJORITY VOTE, RECOMMENDS:

APPROVAL of the enlargement of Coachella Valley Agricultural Preserve No. 13, Amendment No. 2, Map No. 1008, 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. 2009-105 enlarging Coachella Valley Agricultural Preserve No. 13;

Ron Goldman
Planning Director

RG:kb

(Continued On Attached Pages)

REVIEWED BY COUNTY COUNSEL

REVIEWED BY EXECUTIVE OFFICE

DATE 5/15/09 TYPE NAME Minh C. Tran
Minh C. Tran
Departmental Concurrence

DATE 5/24/09 TMB Tina Grande

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

Prev. Agn. Ref. | District: Fourth | Agenda Number:

16.2

The Honorable Board of Supervisors

RE: ADOPTION OF RESOLUTION NO. 2009-105, AGRICULTURAL PRESERVE CASE NO. 1008

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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 Coachella Valley Agricultural Preserve No. 13;

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

FINDINGS:

1. The approximately 78-acre project site is comprised of two (2) parcels and is located in the lower Coachella Valley south of and adjacent to 68th Avenue, east and west of and adjacent to Wheeler 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 78 acres, its gross acreage meeting the size requirement; is contiguous to Coachella Valley Agricultural Preserve No. 13; and, 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. 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 AG designation.
4. Adjacent properties to the north, south, east and west are also designated Agriculture. There are also scattered parcels to the north and east that are designated 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 Heavy Agriculture – 20 Acre Minimum (A-2-20). Under the County's Rules and Regulations Governing Agricultural Preserves, only land having an agricultural zoning, i.e., Light Agriculture (A-1), Light Agriculture with Poultry (A-P), Heavy Agriculture (A-2), Agriculture-Dairy (A-D), or Citrus/Vineyard (C/V), may be included within an agricultural preserve. The subject property meets this zoning requirement.
6. Adjacent properties to the north, south, east and west are also zoned A-2-20, Controlled Development Areas (W-2), Light Agriculture – 20 Acre Minimum (A-1-20),

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and Watercourse, Watershed and Conservation Areas (W-1). The proposed enlargement of the agricultural preserve is consistent with the surrounding zoning.

7. The agricultural use on the subject parcels is cultivation of romaine lettuce and bell peppers. 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.
9. The last annual assessed valuation of the subject parcels was \$1,560,669.00. The Assessor's Office has estimated that the assessed valuation of the property would decrease by \$1,071,367.00, 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 16 years and impacts on paleontological resources are not expected from enlarging Coachella Valley Agricultural Preserve No. 13 to include the proposed parcels.
11. The subject parcels are located within one (1) 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 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. 13.

CONCLUSION:

1. The enlargement of Coachella Valley Agricultural Preserve No. 13, Amendment No. 2, Map No. 1008, is consistent with the Riverside County General Plan.
2. The enlargement of Coachella Valley Agricultural Preserve No. 13, Amendment No. 2, Map No. 1008, is consistent with the zoning on the property.

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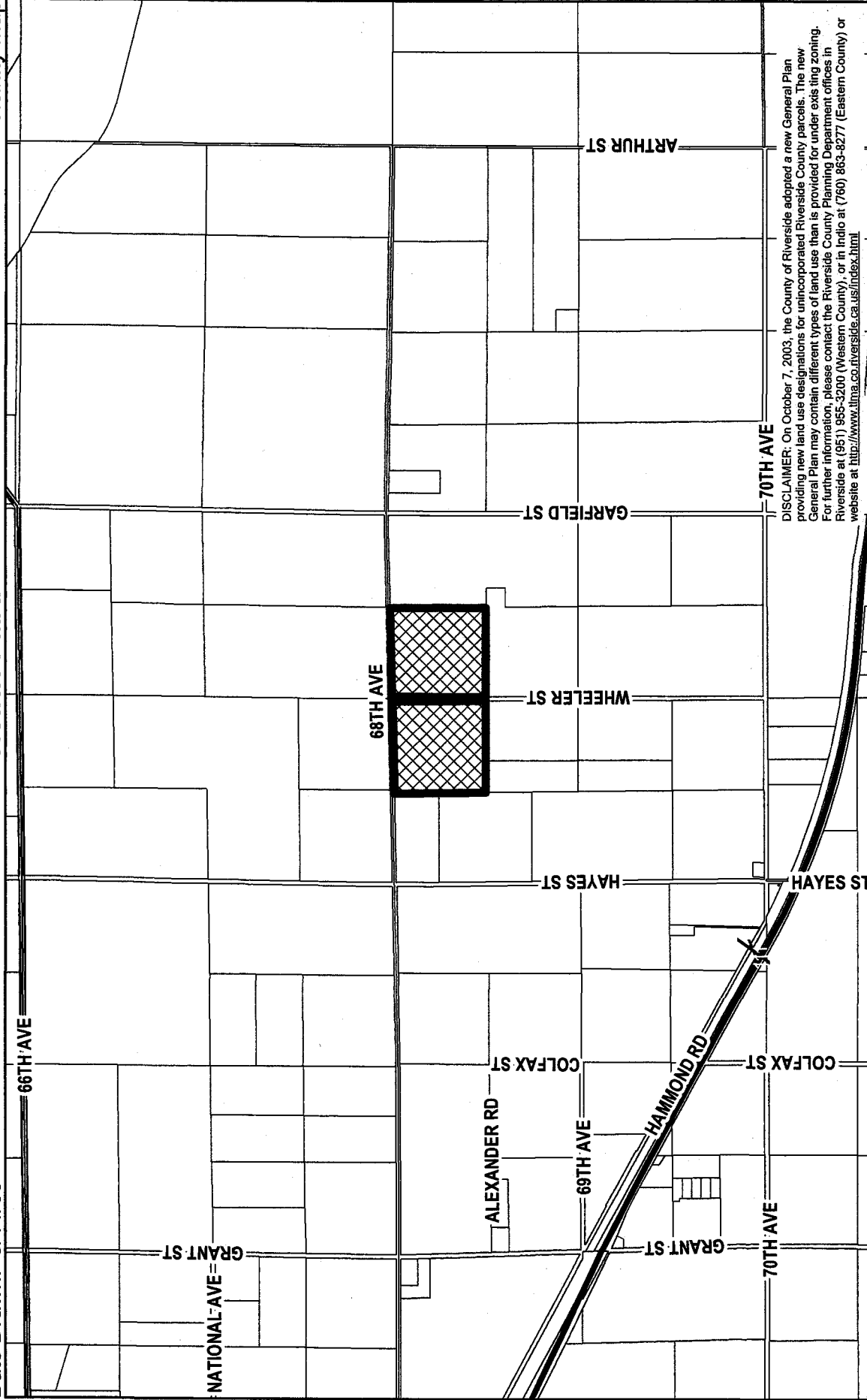
3. The enlargement of Coachella Valley Agricultural Preserve No. 13, Amendment No. 2, Map No. 1008, is consistent with the provisions of the Land Conservation Act of 1965 (Williamson Act) and with the Rules and Regulations Governing Agricultural Preserves in Riverside County.

Supervisor Wilson
District 4

Date Drawn: 3/11/09

AG01008 VICINITY MAP

Planner: Kathleen Browne
Date: 5/12/09
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.thra.co.riverside.ca.us/index.html>

District: Lower Coachella Valley
Township/Range: T7SR9E
Section : 23

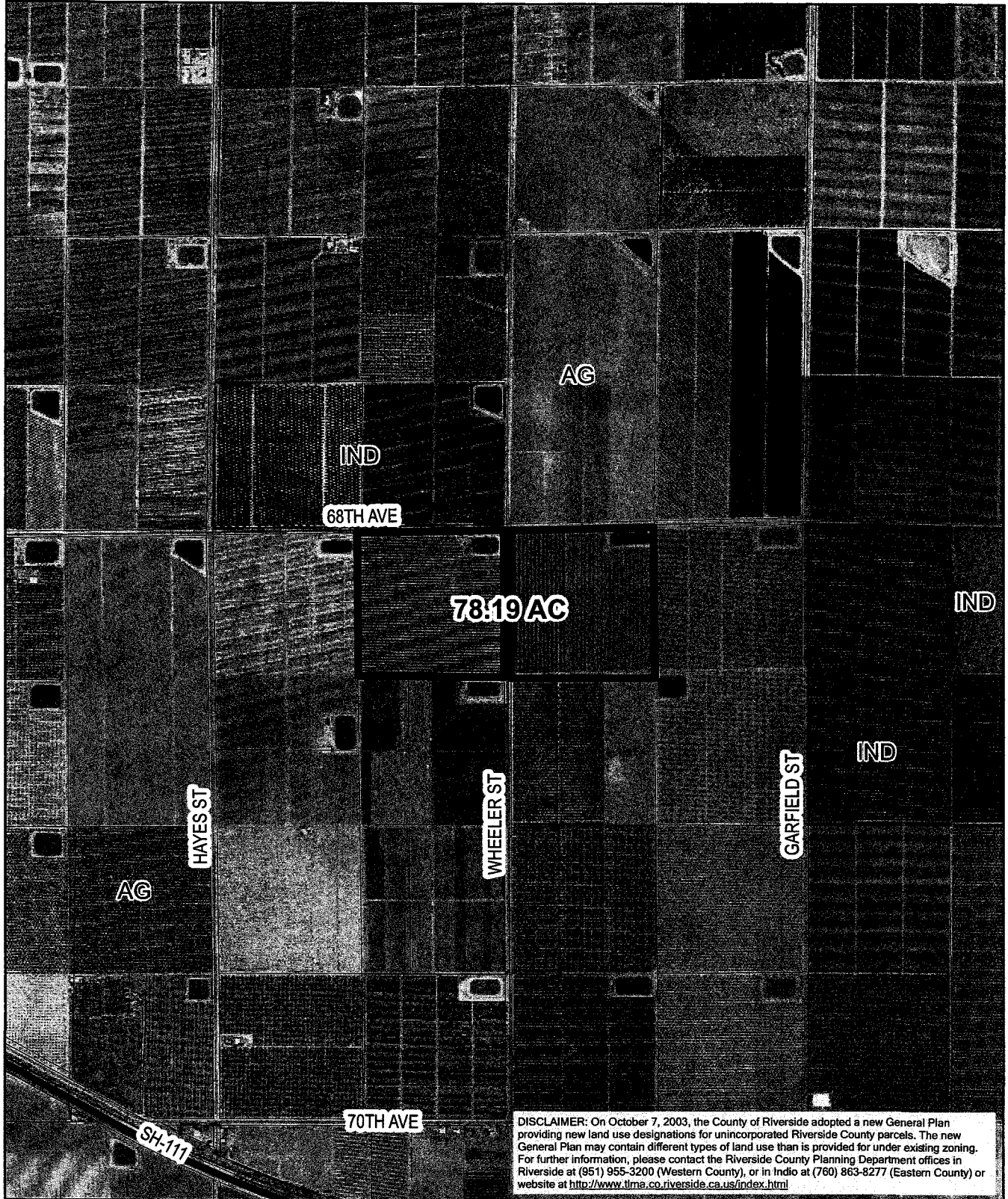
RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
Bk. Pg. 729-08
Thomas
Bros. Pg. 5653 D2



AG01008

DEVELOPMENT OPPORTUNITY



RIVERSIDE COUNTY PLANNING DEPARTMENT

District: Lower Coachella Valley
Township/Range: T7SR9E
Section: 23



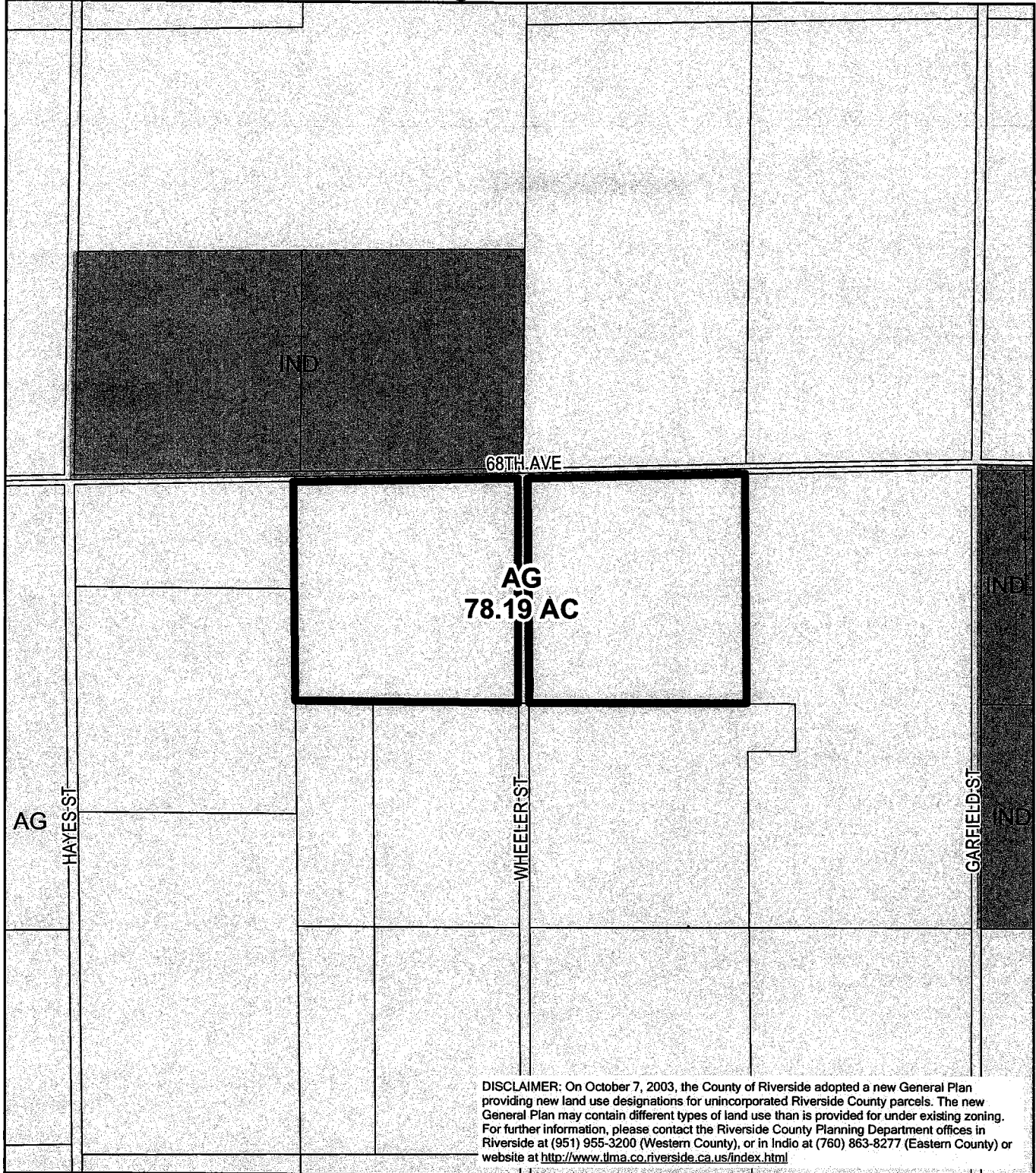
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Supervisor: Wilson
District 4
Date Drawn: 3/11/09

AG01008

Existing General Plan

Planner: Kathleen Browne
Date: 5/12/09
Exhibit 5



RIVERSIDE COUNTY PLANNING DEPARTMENT

District: Lower Coachella Valley
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Section: 23



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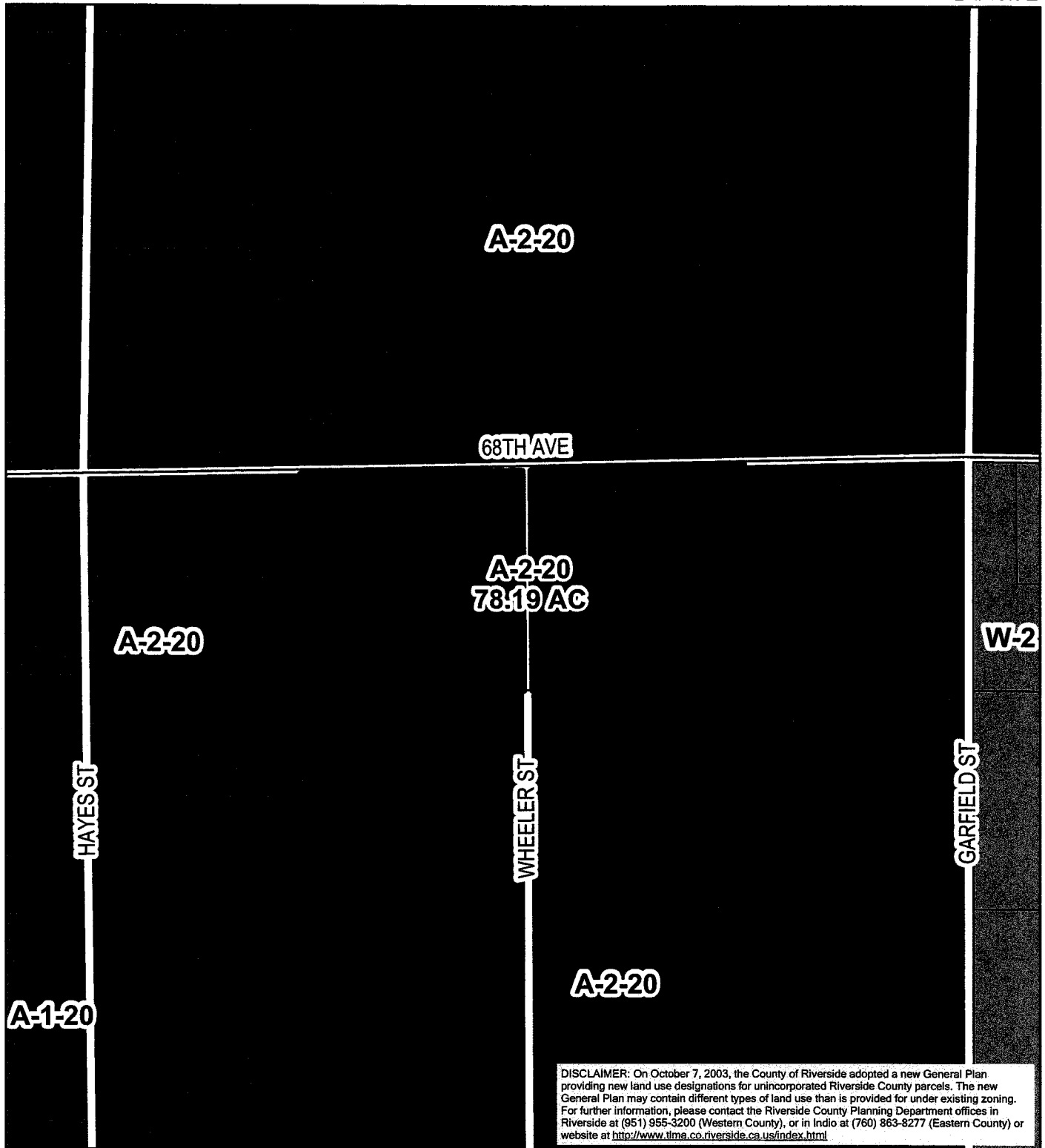


Supervisor: Wilson
District: 4
Date Drawn: 3/11/09

AG01008

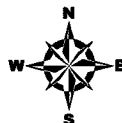
EXISTING ZONING

Planner: Kathleen Browne
Date: 5/12/09
Exhibit 2

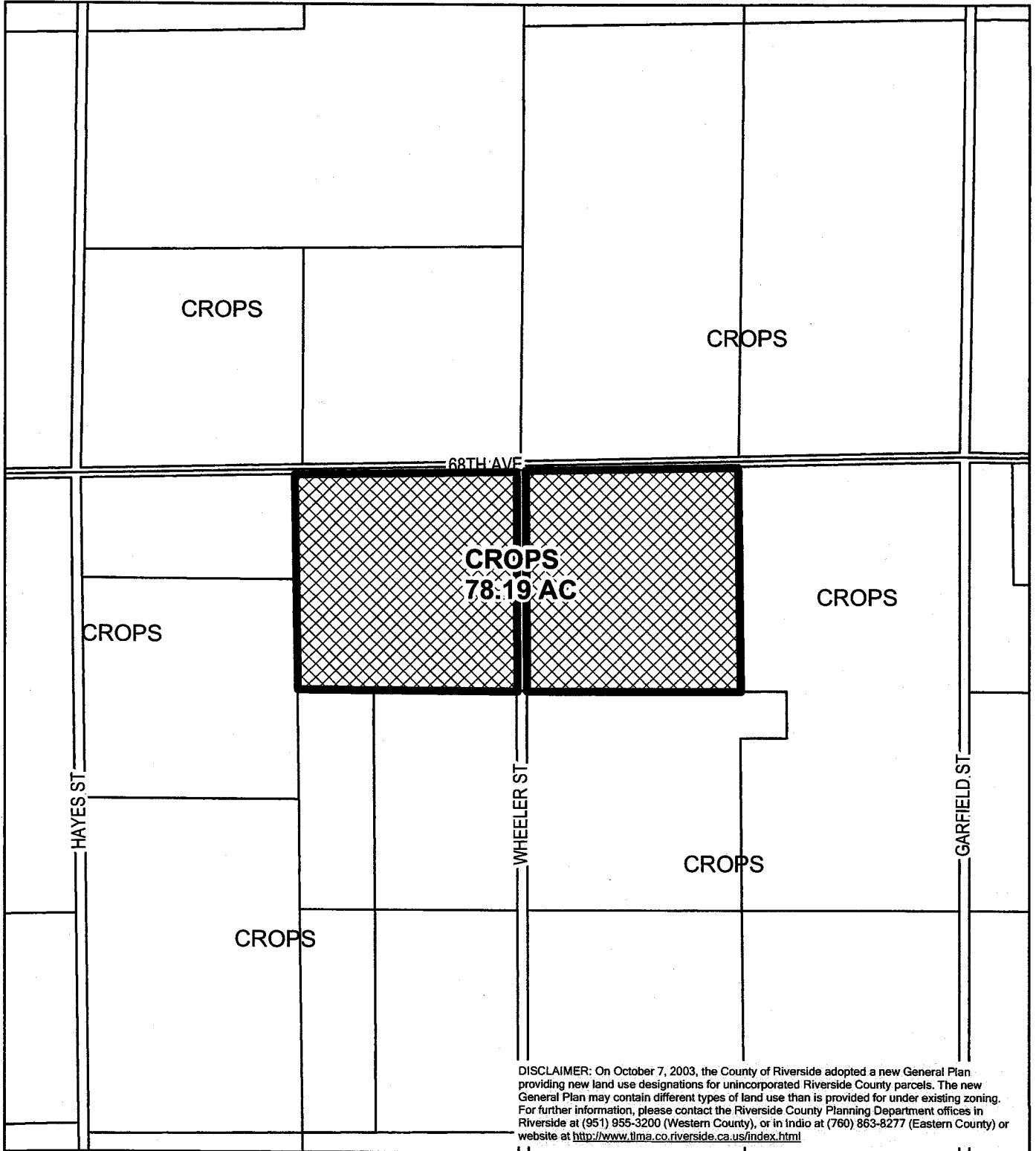


RIVERSIDE COUNTY PLANNING DEPARTMENT

District: Lower Coachella Valley
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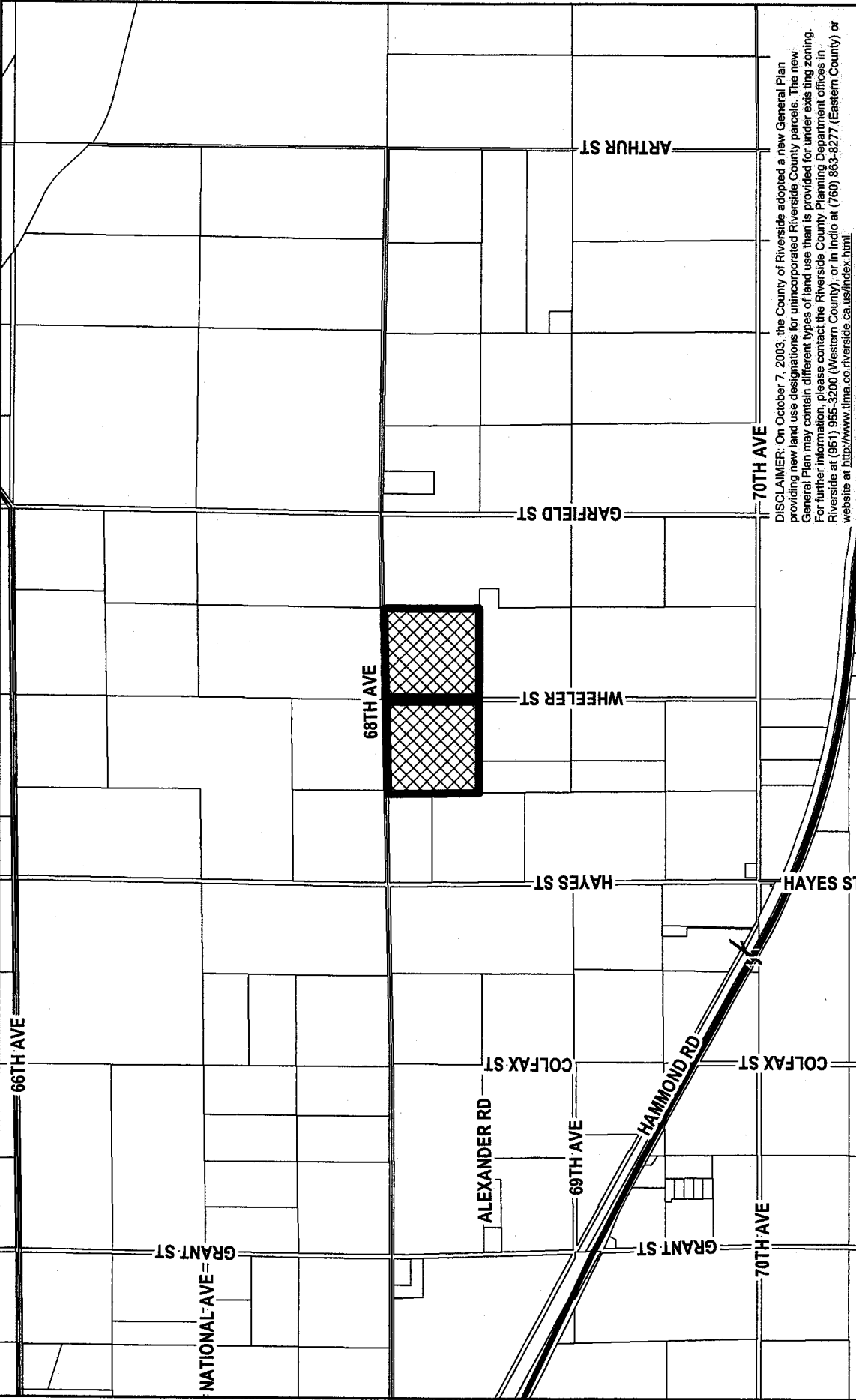
Supervisor Wilson
District 4

Date Drawn: 3/11/09

AG01008

POLICY AREAS

Planner: Kathleen Browne
Date: 5/12/09
Exhibit 8

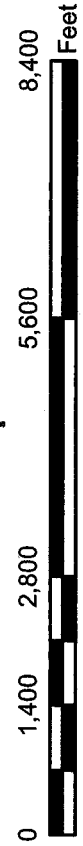


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RIVERSIDE COUNTY PLANNING DEPARTMENT

District: Lower Coachella Valley
Township/Range: T7SR9E
Section : 23

Assessors
Bk. Pg. 729-08
Thomas
Bros. Pg. 5653 D2



Feet

RESOLUTION NO. 2009-105

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 16, 2009, that, pursuant to the California Land Conservation Act of 1965 (Government Code Section 51200 et seq.), the Coachella Valley Agricultural Preserve No. 13, Map No. 126, is amended by adding thereto the area shown on the map entitled, "COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 13, AMENDMENT NO. 2, (ENLARGEMENT), MAP NO. 1008," and described by boundary description thereof, said map and description both being on file in the office of the Clerk of this Board.

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

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

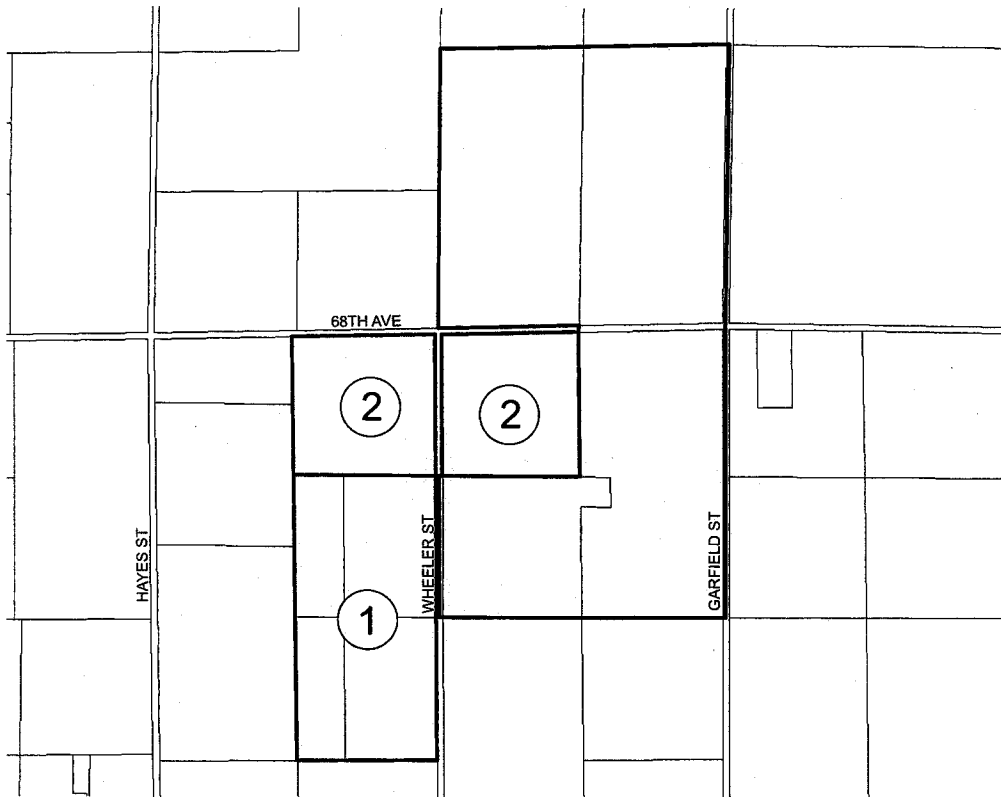
FORM APPROVED COUNTY COUNSEL

BY: Minh C. Tran 5/15/09
MINH C. TRAN DATE

MAP NO. 126 COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 13

AMENDED BY MAP NO. 221, 1008

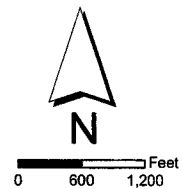
T. 7 S., R. 9 E. S.B.B. & M.



AMENDMENTS:

NO. 1, (ENLARGEMENT), FEBRUARY 1, 1972, MAP NO. 221

NO. 2, (ENLARGEMENT), JUNE 16, 2009, MAP NO. 1008



ADOPTED ON FEBRUARY 8, 1971
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA.

RIVERSIDE COUNTY PLANNING COMMISSION

**EXHIBIT A
COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 13
MAP NO. 1008
(Enlargement)**

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

PARCEL 1:

The Northwest quarter of the Northeast quarter of Section 23, Township 7 South, Range 9 East, San Bernardino Base and Meridian, in the County of Riverside, State of California.

APN 729-080-007-1

PARCEL 2:

The Northeast quarter of the Northwest quarter of Section 23, Township 7 South, Range 9 East, San Bernardino Base and Meridian, in the County of Riverside, State of California.

APN: 729-080-002-6

| Assessor Parcel No. | | Acres | | Owners |
|----------------------------|--|--------------|--|---------------------------|
| 729-080-007-1 | | 39.10 | | Belk Holdings, LLC |
| 729-080-002-6 | | 39.09 | | Belk Holdings, LLC |
| Total | | 78.19 | | |

AG001008 – COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 13

| 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: Heavy Agriculture – 20 acre minimum (A-2-20) N: A-2-20, W-2-10, A-1-10 S: A-2-20, W-2, A-1-10 & -20, C-P-S, SH-111, W-1 E: A-2-20, A-1-20, W-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. | Lettuce and bell peppers, | Yes | | Yes |
| 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. | See Ag. Commissioner | Various row crops, including lettuce and bell peppers. | Row crops. | | Row crops. |
| 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. | None. | | None. |

| 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 |
| 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 |
| 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 |
| 9. The acreage of each land owner included in the application and the total acreage. | The two parcels total 78 acres. | 78 acres | 78 acres | | 78 acres |