

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



313B

FROM: TLMA - Planning Department

SUBMITTAL DATE:
October 18, 2013

REVIEWED BY EXECUTIVE OFFICE

DATE

10/23/13 Tina Grande

SUBJECT: Certificate of Final Cancellation of a Land Conservation Contract and Diminishment of Rancho California Agricultural Preserve No. 12, Map. No. 1011 – Applicant: Jim Carter – Third/Third Supervisorial District – Location: Northerly of Rancho California Road, southeasterly of Anza Road, and westerly of Calle Contento – 112.68 Gross Acres - Zoning: Citrus Vineyard – 20 Acre Minimum (C/V-20) – **REQUEST:** Adoption of Resolution No. 2013-263 for Agricultural Preserve No. 1011, Amendment No. 1, which proposes to diminish Rancho California Agricultural Preserve No. 12 and cancel the associated land conservation contract on a portion of the site consisting of 5.65 acres. [\$0]

RECOMMENDED MOTION:

The Planning Director recommends to the Board of Supervisors:

Adoption of Resolution No. 2013-263, for Certificate of Final Cancellation of Land Conservation Contracts and Diminishment of Rancho California Agricultural Preserve No. 12, Amendment No. 1, Map No. 1011, based upon the hereinafter listed findings and conclusions:

BACKGROUND:

On October 2, 2012, the Board of Supervisors tentatively approved a request by Jim Carter, to diminish Rancho California Agricultural Preserve No. 12 Map No. 1012, and to cancel the land conservation contract as it applies to 5.65 acres of the project site.

Carolyn Syms Luna

Carolyn Syms Luna
Planning Director

Initials: CSL:hs/dm

(continued on next page)

FORM APPROVED COUNTY COUNSEL

BY: *[Signature]* 10/22/13

DATE

MICHELLE CLACK

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

Prev. Agn. Ref.

District: 3/3

Agenda Number:

3-46

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11A: Certificate of Final Cancellation of a Land Conservation Contract and Diminishment of
Rancho California Agricultural Preserve No. 12, Amendment No. 1, Map No. 1011.

DATE: October 17, 2013.

Page: 2 of 2

This cancellation was subject to the following conditions:

1. Payment of the cancellation fee in the amount of \$49,500.
2. Meet all conditions necessary for the County of Riverside to issue grading permits for Plot Plan No. 23017 (Assessor's Parcel No. 943-230-001)
3. The cancellation fee of \$49,500 was paid to the County Treasurer on March 12, 2013.
4. All conditions necessary for the County of Riverside to issue grading permits on Plot Plan No. 23017 have been met.

All conditions of approval for the diminishment of Rancho California Agricultural Preserve No. 12, Amendment No. 1, Map No. 1011 and cancellation of the associated land conservation contract have been met.

The applicant is now eligible to receive a Certificate of Final Cancellation for Rancho California Agricultural Preserve No. 12, Amendment No. 1, Map No. 1011.

RESOLUTION NO. 2013-263
CERTIFICATE OF FINAL CANCELLATION
OF LAND CONSERVATION CONTRACT AND
DIMINISHMENT OF AGRICULTURAL PRESERVE
(Government Code Section 51283.4)

WHEREAS, a contract was executed pursuant to the Land Conservation Act of 1965 (Government Code Section 51200 et. seq.) for land within Rancho California Agricultural Preserve No. 12; and,

WHEREAS, Milo David Rowell and Chester S. Rowell entered into such land conservation contract dated January 1, 1975, with the County of Riverside for land that is currently identified as Assessor's Parcel No. 943-230-001-4 (the "**Property**"), which was recorded on February 28, 1975, as Instrument No. 24233, in the Office of the County Recorder of Riverside County, California (the "**Land Conservation Contract**"); and,

WHEREAS, the Property is described in Exhibit A, attached hereto and incorporated herein by reference, entitled "**MAP NO. 322, RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 12, AMENDED BY MAP NO. 1011, AMENDMENT NO. 1, (DIMINISHMENT), MAP NO. 1011**"; and,

WHEREAS, James A. Carter, Trustee of the Carter Family Trust, dated December 28, 2001, is the current owner of the Property and filed a Notice of Nonrenewal on September 19, 2011, which notice was recorded on January 31, 2012, as Instrument No. 2012-0069048, in the Office of the County Recorder of Riverside County, California; and,

WHEREAS, James A. Carter, Trustee of the Carter Family Trust, also petitioned to cancel the Land Conservation Contract as it applies to a 5.65-acre portion of the Property, as depicted on said Map No. 1011, and to diminish Rancho California Agricultural Preserve No. 12, Map No. 322, by removing said 5.65-acre area from the boundaries of said agricultural preserve; and,

1 **WHEREAS**, a public hearing was held by the Riverside County Board of Supervisors on
2 October 2, 2012 where Resolution No. 2012-046, approving Agricultural Preserve No. 1011, and
3 issuing a Certificate of Tentative Cancellation and Diminishing Rancho California Agricultural
4 Preserve No. 12, was adopted, subject to the following conditions:

- 5 1. The cancellation fee of \$49,500 shall be paid,
- 6 2. All conditions necessary for the County to issue grading permits for any portion of
7 the Plot Plan shall have been met; and,
- 8 3. The landowner shall notify the Board of Supervisors when all conditions and
9 contingencies enumerated in the Certificate of Tentative Cancellation have been
10 satisfied; and,

11 **WHEREAS**, all the provisions of the California Environmental Quality Act (CEQA) and
12 the Rules and Regulations Governing Agricultural Preserves in Riverside County (Resolution No.
13 84-526) have been satisfied, including the adoption and certification of a Mitigated Negative
14 Declaration and Addendum thereto for Environmental Assessment No. 41524; and,

15 **WHEREAS**, James A. Carter, Trustee of the Carter Family Trust, dated December 28,
16 2001, has proposed, if the cancellation is approved, that the land will be used for the following
17 alternative use: Plot Plan No. 23017, which consists of a winery and resort consisting of 23
18 buildings totaling 42,051 square feet, including 42 casita units, a 5,470 square-foot winery and
19 tasting room; and a 1,200 square-foot housekeeping building and pool maintenance room, a 221
20 square-foot office, and 142 parking spaces (the "**Plot Plan**"); and,

21 **WHEREAS**, the total amount of the cancellation fee for the Property, pursuant to Section
22 51283.4 of the Government Code, has been determined and certified by the Board of Supervisors
23 to be \$49,500; and,

24 **WHEREAS**, the following conditions have been met:

- 25 1. The cancellation fee in the amount of \$49,500 has been paid to the Treasurer of
26 Riverside County,
- 27 2. All conditions necessary for the County to issue grading permits for any portion of
28 the Plot Plan have been met; and,

- 1 3. The landowner has notified the Board of Supervisors that all conditions and
2 contingences have been met.

3 **BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the Board of
4 Supervisors of the County of Riverside, State of California, in regular session on November 5,
5 2013, that the Clerk of the Board shall file and record copies of this resolution, map and boundary
6 description in the Office of the County Recorder of Riverside County, California, and transmit
7 copies thereof to the Director of Conservation of the State of California, the Treasurer of Riverside
8 County, and the Assessor of Riverside County; and, thereafter:

9 1. Rancho California Agricultural Preserve No. 12, Map No. 322,
10 adopted on February 18, 1975, will be amended by deleting therefrom the area
11 shown on the map entitled "**MAP NO. 322, RANCHO CALIFORNIA**
12 **AGRICULTURAL PRESERVE NO. 12, AMENDED BY MAP NO. 1011,**
13 **AMENDMENT NO. 1, (DIMINISHMENT), MAP NO. 1011**", and described by
14 boundary description thereof, said map and description both being on file in the
15 Office of the Clerk of the Board.

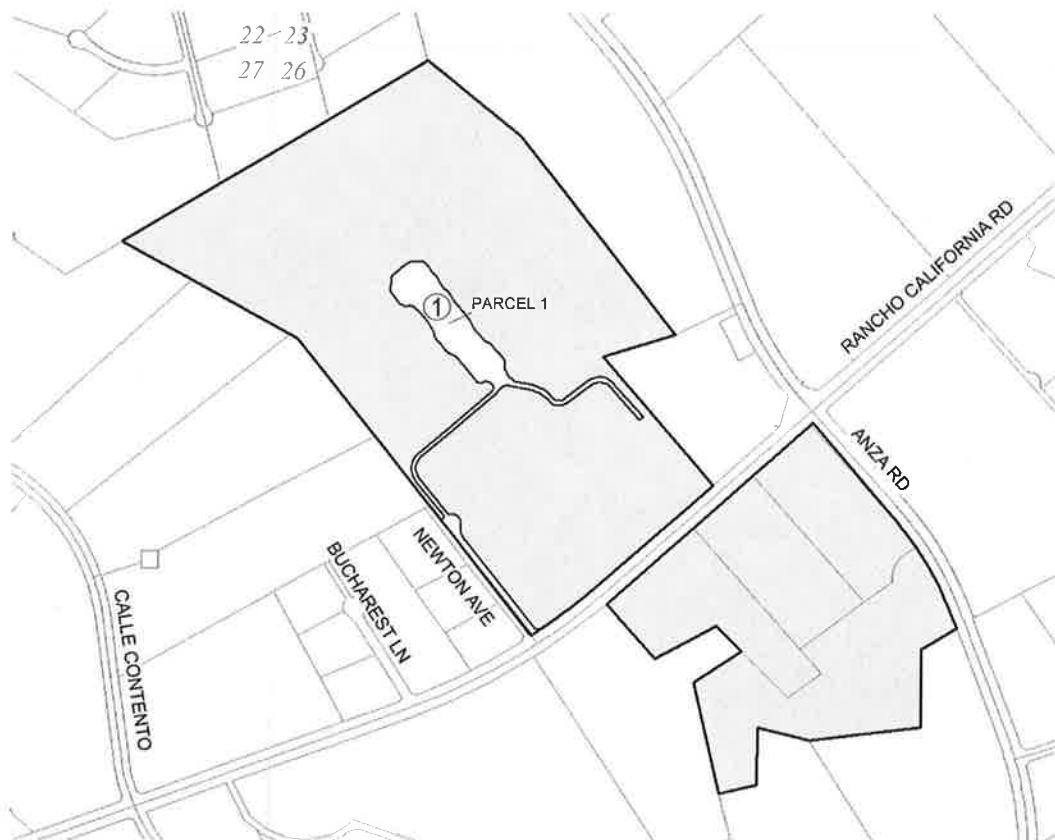
16 2. The Land Conservation Contract, dated January 1, 1975, and
17 recorded in the Office of the County Recorder of Riverside County, California, on
18 February 28, 1975, as Instrument No. 24233, will be canceled to the extent said
19 contract applies to land referenced in the petition for cancellation of the
20 aforementioned property owner, thereby removing from the effect of said contract
21 the real property in the County of Riverside, State of California, described in the
22 exhibit entitled, "**MAP NO. 322, RANCHO CALIFORNIA AGRICULTURAL**
23 **PRESERVE NO. 12, AMENDED BY MAP NO. 1011, AMENDMENT NO. 1,**
24 **(DIMINISHMENT), MAP NO. 1011.**"
25

MAP NO. 322
RANCHO CALIFORNIA
AGRICULTURAL
PRESERVE
NO. 12

1011

AMENDED BY MAP NO. 1011

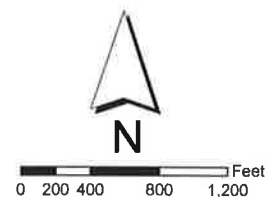
PAUBA RANCHO



AMENDMENTS:

NO. 1, (DIMINISHMENT), NOVEMBER 5, 2013, MAP NO. 1011

ADOPTED ON FEBRUARY 18, 1975
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA.



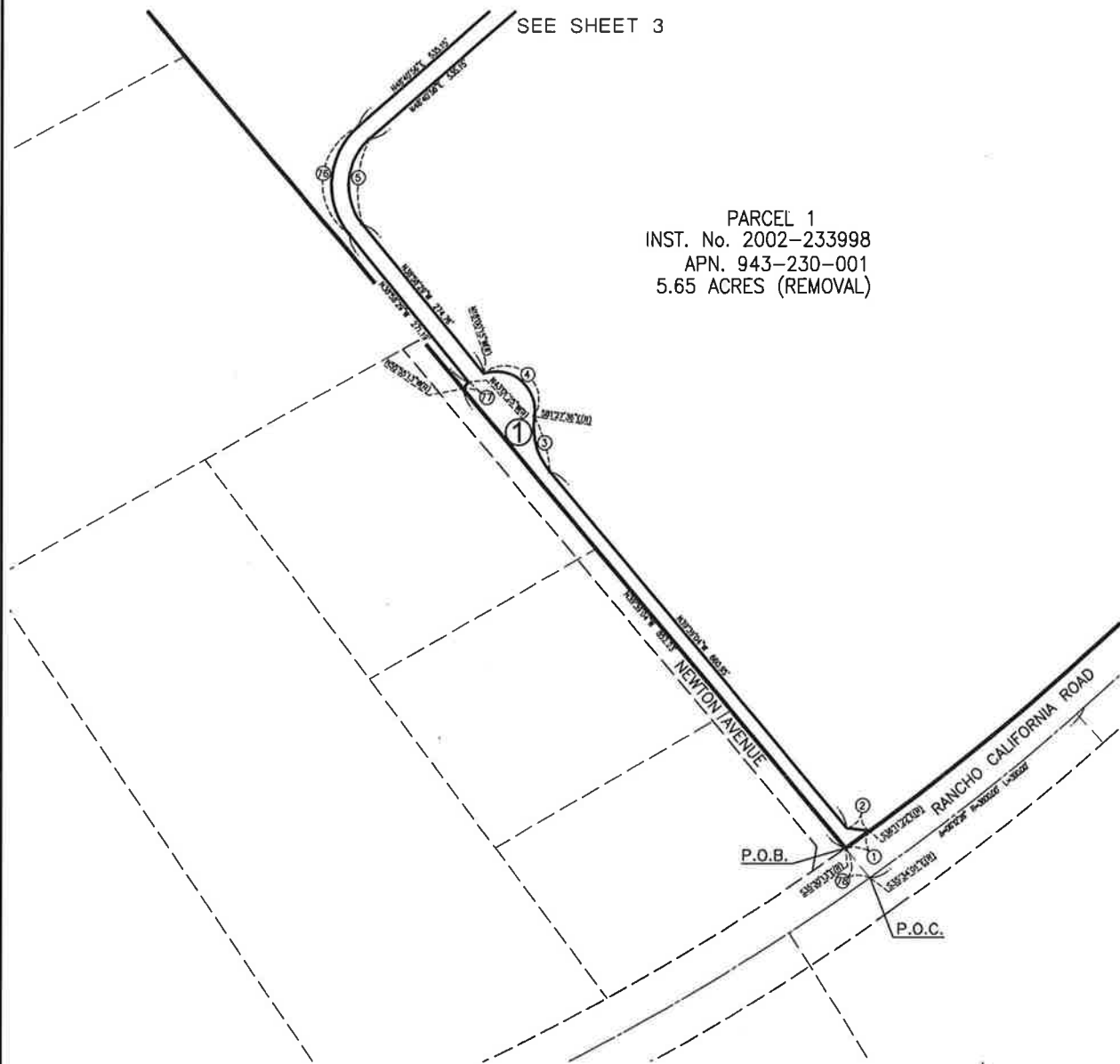
MAP NO. 322 RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 12

AMENDED BY MAP NO. 1011

PAUBA RANCHO

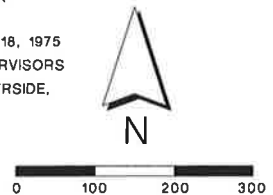
SEE SHEET 3

PARCEL 1
INST. No. 2002-233998
APN. 943-230-001
5.65 ACRES (REMOVAL)



AMENDMENTS:
NO. 1, (DIMINISHMENT), NOVEMBER 5, 2013, MAP NO. 1011

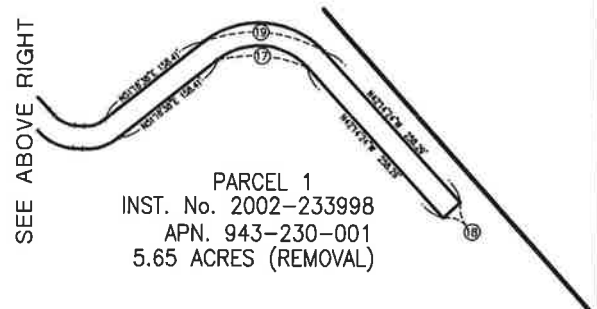
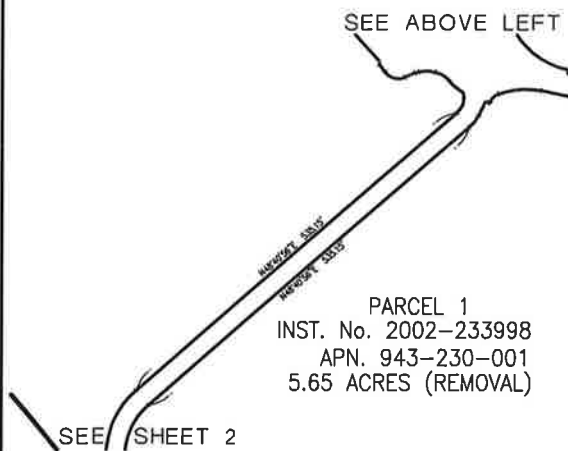
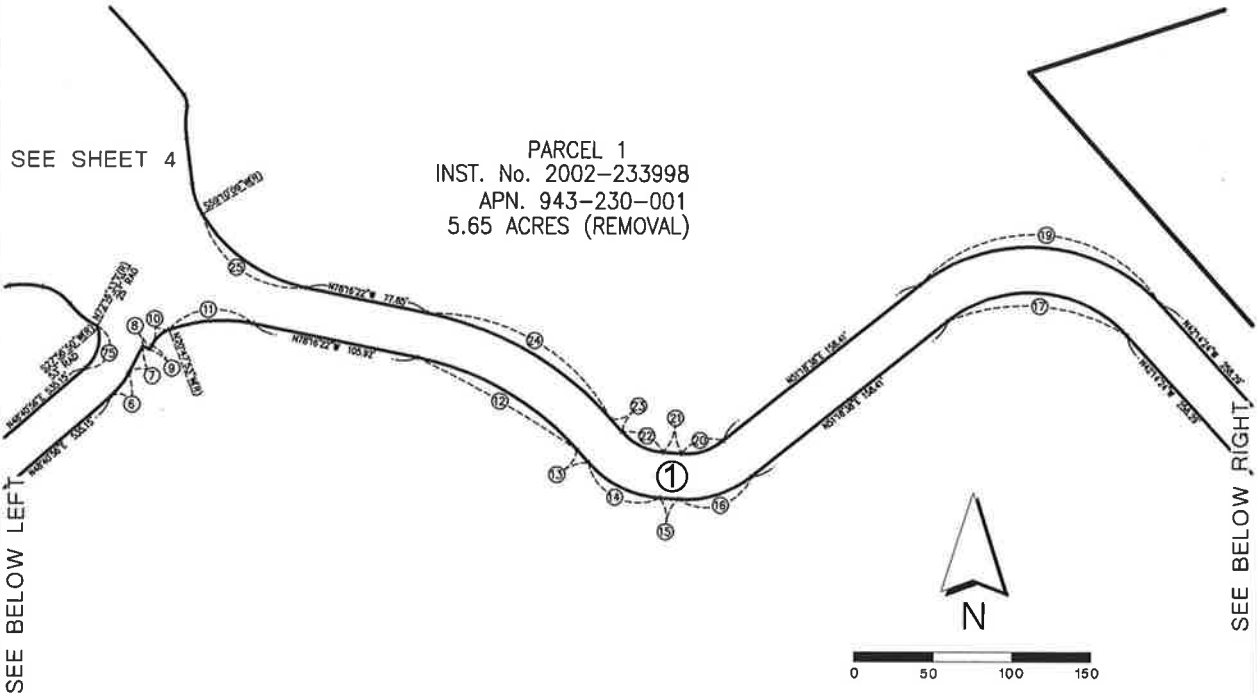
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MAP NO. 322 RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 12

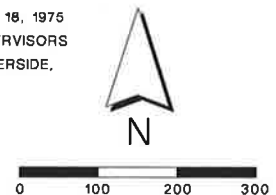
AMENDED BY MAP NO. 1011

PAUBA RANCHO



AMENDMENTS:
NO. 1, (DIMINISHMENT), NOVEMBER 5, 2013, MAP NO. 1011

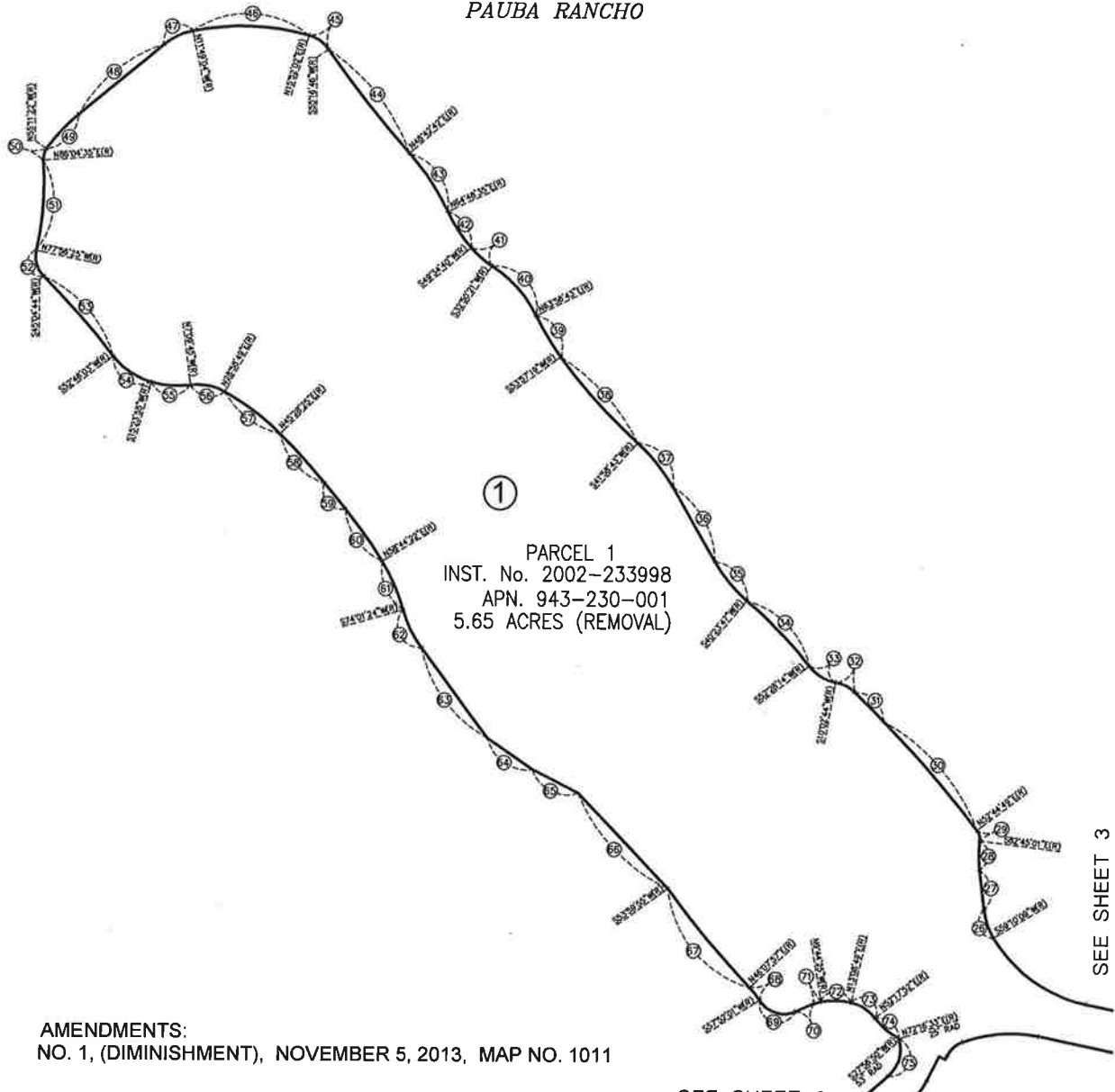
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STATE OF CALIFORNIA.



MAP NO. 322
RANCHO CALIFORNIA
AGRICULTURAL PRESERVE
NO. 12

AMENDED BY MAP NO. 1011

PAUBA RANCHO



AMENDMENTS:
NO. 1, (DIMINISHMENT), NOVEMBER 5, 2013, MAP NO. 1011

SEE SHEET 3
ADOPTED ON FEBRUARY 18, 1975
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA.



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MAP NO. 322 RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 12

AMENDED BY MAP NO. 1011

PAUBA RANCHO

PARCEL 1 DATA TABLE

	BEARING/Delta	RADIUS	LENGTH	TANGENT
①	0°41'09"	3545.00'	42.44'	21.22'
②	N82°55'47"W		33.05'	
③	48°11'28"	100.00'	84.11'	44.72'
④	116°32'39"	56.00'	113.91'	90.57'
⑤	87°39'25"	66.00'	134.63'	84.47'
⑥	22°10'49"	49.00'	18.97'	9.60'
⑦	N26°30'07"E		19.12'	
⑧	S63°29'53"E		5.00'	
⑨	N26°30'07"E		3.00'	
⑩	42°42'00"	20.00'	14.91'	7.82'
⑪	32°31'31"	95.00'	53.93'	27.71'
⑫	36°55'18"	183.00'	117.93'	61.09'
⑬	S41°21'04"E		10.54'	
⑭	44°48'20"	67.00'	52.39'	27.62'
⑮	S86°09'24"E		11.60'	
⑯	42°31'58"	67.00'	49.74'	26.08'
⑰	86°26'58"	83.00'	125.23'	78.01'
⑱	N47°45'36"E		29.00'	
⑲	86°26'58"	112.00'	168.99'	105.27'
⑳	42°31'58"	38.00'	28.21'	14.79'
㉑	S86°09'24"E		11.60'	
㉒	44°48'20"	38.00'	29.72'	15.86'
㉓	S41°21'04"E		10.54'	
㉔	36°55'18"	212.00'	136.61'	70.77'
㉕	47°26'31"	100.00'	82.80'	43.94'
㉖	23°45'28"	50.00'	20.73'	10.52'
㉗	N7°04'23"W		28.83'	
㉘	14°19'22"	82.50'	20.62'	10.37'
㉙	44°30'10"	10.00'	7.77'	4.09'
㉚	7°40'59"	759.50'	101.85'	51.00'
㉛	N44°56'10"W		28.63'	
㉜	35°01'06"	25.00'	15.28'	7.89'
㉝	42°25'30"	30.00'	22.21'	11.64'
㉞	12°04'27"	300.00'	63.22'	31.73'
㉟	19°43'05"	105.00'	36.14'	18.25'
㊱	S29°53'08"E		60.57'	
㊲	18°08'09"	125.00'	38.57'	19.95'
㊳	11°58'36"	390.00'	81.52'	40.91'
㊴	9°59'24"	195.00'	34.00'	17.04'
㊵	31°06'22"	87.50'	47.50'	24.35'

PARCEL 1 DATA TABLE

	BEARING/Delta	RADIUS	LENGTH	TANGENT
①	16°44'19"	66.00'	19.28'	9.71'
②	15°13'55"	115.00'	30.57'	15.38'
③	16°05'53"	175.00'	49.17'	24.75'
④	6°34'04"	810.00'	92.85'	46.48'
⑤	39°24'44"	25.00'	17.20'	8.95'
⑥	27°41'06"	170.00'	82.14'	41.89'
⑦	28°08'24"	45.00'	22.10'	11.28'
⑧	S50°02'32"W		77.51'	
⑨	15°13'54"	125.00'	33.23'	16.71'
⑩	38°44'03"	12.50'	8.45'	4.39'
⑪	15°59'00"	230.00'	64.16'	32.29'
⑫	56°58'51"	20.00'	19.89'	10.85'
⑬	7°43'19"	555.00'	74.80'	37.46'
⑭	37°24'08"	50.00'	32.64'	16.93'
⑮	22°33'40"	70.00'	27.56'	13.96'
⑯	36°08'34"	40.00'	25.23'	13.05'
⑰	16°29'36"	170.00'	48.94'	24.64'
⑱	51°9'57"	500.00'	46.53'	23.28'
⑲	N38°11'38"W		23.34'	
⑳	7°56'00"	325.00'	45.00'	22.54'
㉑	15°17'02"	140.00'	37.35'	18.78'
㉒	20°04'08"	85.00'	29.77'	15.04'
㉓	S36°02'42"E		78.71'	
㉔	N55°05'50"W		38.57'	
㉕	S62°59'44"E		36.21'	
㉖	S43°25'06"E		92.32'	
㉗	7°51'58"	662.00'	90.89'	45.51'
㉘	11°44'04"	56.00'	11.47'	5.75'
㉙	81°57'16"	20.00'	28.61'	17.37'
㉚	N65°54'45"E		14.01'	
㉛	14°20'50"	20.00'	5.01'	2.52'
㉜	22°53'14"	53.00'	21.17'	10.73'
㉝	39°09'03"	30.00'	20.50'	10.67'
㉞	24°21'02"	53.00'	22.52'	11.44'
㉟	66°24'23"	25.00'	28.98'	18.36'
㊱	87°39'25"	112.00'	171.35'	107.51'
㊲	12°53'48"	56.00'	12.61'	6.33'
㊳	N39°39'04"W		55.14'	

AMENDMENTS:

NO. 1, (DIMINISHMENT), NOVEMBER 5, 2013, MAP NO. 1011

ADOPTED ON FEBRUARY 18, 1975
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