

FORM APPROVED COUNTY COUNSEL *SP28/JS*
 BY: *GREGORY P. PRIAMOS* DATE _____
 Departmental Concurrence

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

204B



FROM: TLMA – Planning Department

SUBMITTAL DATE:
 April 28, 2015

SUBJECT: GENERAL PLAN AMENDMENT NO. 1132, CHANGE OF ZONE NO. 7816, TENTATIVE TRACT MAP NO. 36475, RESOLUTION NO. 2015-117, and AGRICULTURAL PRESERVE DIMINISHMENT NO. 1044 (FAST TRACK NO. 2013-05) – Intent to adopt a Mitigated Negative Declaration – Applicant: CV Communities – First Supervisorial District – Location: Northerly of Lake Mathews, southerly of the Street A in the Citrus Heights Specific Plan (SP325A1), westerly of Blackburn Road - REQUEST: The General Plan Amendment proposes to amend the General Plan Land Use Designation from Rural Community: Very Low Density Residential (RC:VLDR) (1 Acre Minimum) and Rural Community: Estate Density Residential (RC:EDR) (2 Acre Minimum) to Rural Community: Low Density Residential (RC:LDR)(1/2 Acre Minimum). The Change of Zone proposes to change the zoning of the site from Light Agriculture - 10 Acre Minimum (A-1-10) to One-Family Dwellings (R-1). The Tentative Tract Map is a Schedule A subdivision of 168.33 acres into 171 residential lots, two water quality basins, four park sites and 21 open space lots. Agricultural Preserve Diminishment No. 1044 proposes to remove the Project site from the El Sobrante No. 1 Agricultural Preserve.

(Continued on next page)

Steve Weiss
 Steve Weiss, AICP
 Planning Director

Juan C. Perez
 Juan C. Perez
 TLMA Agency Director

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$	\$	\$	\$	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$	\$	\$	\$	

SOURCE OF FUNDS: Deposit based funds
Budget Adjustment:
 For Fiscal Year:

C.E.O. RECOMMENDATION: APPROVE
 BY: *Tina Grande*
 Tina Grande
 County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

- A-30
- 4/5 Vote
- Positions Added
- Change Order

Prev. Agn. Ref.: _____ District: 1 Agenda Number:

16-1

RECOMMENDED MOTION: That the Board of Supervisors:

1. **ADOPT A MITIGATED NEGATIVE DECLARATION** for Environmental Assessment No. 42652, based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment; and,
2. **TENTATIVELY APPROVE GENERAL PLAN AMENDMENT NO. 1132** amending the General Plan Land Use Designation from Rural Community: Very Low Density Residential (RC:VLDR) (1 Acre Minimum) and Rural Community: Estate Density Residential (RC: EDR) (2 Acre Minimum) to Rural Community: Low Density Residential (RC:LDR)(1/2 Acre Minimum) as illustrated on Exhibit No. 6 and based on the findings and conclusions, incorporated into the staff report; pending adoption of the Board of Supervisors Resolution; and,
3. **TENTATIVELY APPROVE CHANGE OF ZONE NO. 7816** amending the zoning classification of the subject property from Light Agriculture -10 Acre Minimum (A-1-10) to One-Family Dwellings (R-1), as illustrated on Exhibit No. 3 and based upon the findings and conclusions incorporated into the staff report; pending adoption of the Zoning Ordinance; and,
4. **APPROVE TENTATIVE TRACT MAP NO. 36475**, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report; and,
5. **ADOPT RESOLUTION NO. 2015-117** for the Diminishment of El Sobrante Agricultural Preserve No. 1, Map No. 1044, based upon findings and conclusions incorporated in the staff report.

BACKGROUND:

The proposed project is located just south of the approved Citrus Heights Specific Plan (SP325). In 2004, the Riverside County Board of Supervisors approved SP 325, which was subsequently amended in 2013 (SP325A1). Specific Plan 325A1 includes Medium Density Residential designations which establish it as a Community Development Specific Plan.

Tentative Tract Map No. 36475 would construct several public roadways on the site. Access to the Project site would be provided via two (2) full access connections from an approved, neighboring development project to the north (TR 36390, marketing name "Citrus Heights"). From Citrus Heights, Project residents would have direct connections to McAllister Street and Street "A." Street "A" is also known as "Fairway Drive," an approved public street that will provide a connection between McAllister Street and Van Buren Boulevard. In 2012 the Board of Supervisors authorized Fast Track status to the adjacent SP325 and this project site in recognition that both projects are causing the construction of Street "A", which will not only provide access to these projects but which also greatly benefits the adjacent communities of Victoria Grove, the Orchard, and other properties around McAllister Street by bringing a connection to Van Buren Blvd.

Owners of the property entered into a land conservation contract with the County of Riverside on January 1, 1971 which was recorded on February 26, 1971. The owners filed a notice of non-renewal on May 18, 1982, which was recorded May 28, 1982. Under both the County's Rules and Regulations Governing Agricultural Preserves and the State of California's Williamson Act Program, a landowner may apply to have property removed from the boundaries of an agricultural preserve once the contract has expired. Since the land conservation contract expired in 1992, the Applicant applied to have the subject site removed from the boundaries of the Agricultural Preserve.

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: GENERAL PLAN AMENDMENT NO. 1132; CHANGE OF ZONE NO. 7816; TENTATIVE TRACT
MAP NO. 36475; AGRICULTURAL PRESERVE DIMINISHMENT NO. 1044 (FAST TRACK NO. 2013-05)
DATE: April 28, 2015
PAGE: Page 3 of 3

On February 25, 2014, General Plan Amendment No. 1132 was presented to the Riverside County Board of Supervisors and was approved for initiation proceedings.

GENERAL PLAN AMENDMENT NO. 1132 proposes to amend the General Plan Land Use designation on the Project site from "Rural Community – Very Low Density Residential (RC-VLDR)" and "Rural Community – Estate Density Residential (RC-EDR)" land uses to "Rural Community – Low Density Residential (RC-LDR)" land uses. The RC-LDR land use designation would allow for development of the Project site with detached single-family homes at a density of 2 du/ac.

CHANGE OF ZONE NO. 7816 proposes to change the zoning designation of the Project site from Light Agriculture, 10-Acre Minimum (A-1-10) to One-Family Dwellings (R-1).

TENTATIVE TRACT MAP NO. 36475 is a Schedule "A" subdivision of 168.33 acres into 171 residential lots on 79.83 acres, two water quality/detention basins on 5.26 acres, four park sites on 3.78 acres, and 21 open space lots encompassing 50.56 acres. In addition, 29.31 acres will be dedicated for on-site infrastructure development (Streets "A" through "R"). Lot sizes for the proposed residential units will range from 14,010 sq. ft. to 116,073 sq. ft. with a minimum lot size of 12,101 sq. ft.

AGRICULTURAL PRESERVE DIMINISHMENT No. 1044 proposes to remove the Project site from the El Sobrante No. 1 Agricultural Preserve.

Impact on Citizens and Businesses

The impacts of this project have been evaluated through the environmental review and public hearing process by Planning staff.

ATTACHMENTS:

- **STAFF REPORT**
- **ENVIRONMENTAL ASSESSMENT NO. 42652**
- **AGRICULTURAL PRESERVE DIMINISHMENT NO. 1044 MAP & RESOLUTION**

2
3 **RESOLUTION NO. 2015-117**
4 **DIMINISHMENT OF EL SOBRANTE**
5 **AGRICULTURAL PRESERVE NO. 1**
6 **(Government Code Section 51245)**
7

8 **WHEREAS**, in 1971 Mile Sharkey, Christine Sharkey, Earl F. Kitchell, Joy W. Kitchell, Oliver
9 C. Field, Almeron J. Field, Betty E. Field, Hale Field and Gingerlee C, Field owned a 168.3 acre area
10 located northerly of El Sobrante Road, southerly of Dove Canyon Drive, easterly of McAllister Street,
11 westerly of Vista Del Lago in the unincorporated area of Riverside County, California (“Property”); and,

12 **WHEREAS**, the Property is also identified as Assessor’s Parcel Numbers 270-080-017, 270-090-
13 001, 270-090-002 and 270-070-004; and,

14 **WHEREAS**, Mile Sharkey, Christine Sharkey, Earl F. Kitchell, Joy W. Kitchell, Oliver C. Field,
15 Almeron J. Field, Betty E. Field, Hale Field and Gingerlee C, Field, entered into a Land Conservation
16 Contract dated January 1, 1971 pursuant to the California Land Conservation Act of 1965 (Government
17 Code Section 51200 et seq.) for the Property, which was recorded February 26, 1971, as Instrument No.
18 19510, in the Office of the County Recorder of Riverside County, California (the “Land Conservation
19 Contract”); and,

20 **WHEREAS**, Gilbert U. Kraemer, Jr., Daniel G. Kraemer and Mary A. Kraemer became the
21 subsequent owners of the Property; and,

22 **WHEREAS**, on May 10, 1982, a Notice of Non-Renewal for the Land Conservation Contract was
23 filed by Gilbert U. Kraemer, Jr., Daniel G. Kraemer and Mary A. Kraemer. The notice was recorded
24 on May 18, 1982, as Instrument No. 93128, in the Office of the County Recorder of Riverside County,
25 California; and,

FORM APPROVED COUNTY COUNCIL
BY: *Michelle Clack* 5/29/15
DATE
MICHELLE CLACK

1 **WHEREAS**, the filing of the Notice of Nonrenewal resulted in the expiration of the Land
2 Conservation Contract as it applies to the Property on May 18, 1992, pursuant to Government Code
3 Section 51245; and,

4 **WHEREAS**, the current owners of the Property are Mary Kraemer Nyeholt, Susan M. Kraemer,
5 Ann T. Kraemer, Eileen K. Vukicevich, John T. Kramer, John Thomas Kraemer and Cim Shami Kraemer
6 Revocable Inter Vivos Trust Agreement of 1993, Karen Bailer, Bailey Family Trust Dated March 1993,
7 Janine Kraemer Gonyea, Matthew D. Kraemer, Steven G. Kraemer and Paul G. Kraemer and Diane E.
8 Kraemer, Successor Co-Trustees of the Gilbert U. Kraemer, Jr. as Trustees of the Gilbert U. Kraemer, Jr.
9 Declaration of Trust Dated July 13, 1992 (the “owners”); and,

10 **WHEREAS**, on March 6, 2014, the owners and their authorized representatives requested to have
11 the Property removed from the boundaries of El Sobrante Agricultural Preserve No. 1; and,

12 **WHEREAS**, this diminishment of the El Sobrante Agricultural Preserve No. 1 is associated with
13 General Plan No. 1132, Change of Zone No. 7816 and Tentative Tract Map No. 36475; and,

14 **WHEREAS**, all the provisions of the California Environmental Quality Act (“CEQA”) and the
15 Rules and Regulations Governing Agricultural Preserves in Riverside County pursuant to Resolution No.
16 84-526 have been satisfied, including the preparation of a Mitigated Negative Declaration for
17 Environmental Assessment No. 42652; and,

18 **WHEREAS**, a public hearing was held on this matter by the Riverside County Board of
19 Supervisors on June 16, 2015; now, therefore,

20 **BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the Board of Supervisors
21 of the County of Riverside, State of California, in regular session assembled on June 16, 2015, that:

- 22 1. The above recitals are true and correct and incorporated herein by this reference.
- 23 2. Under the County of Riverside’s Rules and Regulations Governing Agricultural Preserves and
24 the California Land Conservation Act of 1965, a landowner may apply to have property
25 removed from the boundaries of an agricultural preserve once the contract has expired.
- 26 3. The Land Conservation Contract for the Property expired on May 18, 1992.
- 27 4. The El Sobrante Agricultural Preserve No. 1 Map No. 18, adopted on February 24, 1969 and
28

1 on file in the Office of the Clerk of this Board, is amended by this amendment No. 22 and the
2 El Sobrante Agricultural Preserve No. 1 is diminished by removing the area shown on the map
3 attached hereto as Exhibit A and entitled "MAP NO. 18 EL SOBRANTE AGRICULTURAL
4 PRESERVE NO. 1 AMENDED BY MAPS NO. 48, 163, 348, 529, 558, 614, 814, 666, 708,
5 712, 744, 791, 794, 819, 829, 830, 831, 832, 844, 854, 889, 1044" which is made part of this
6 resolution and said map and boundary description are both on file in the Office of the Clerk of
7 the Board.

- 8 5. The diminishment of the El Sobrante Agricultural Preserve No. 1 is consistent with the
9 provisions of the California Land Conservation Act of 1965, the Riverside County General
10 Plan, and the Rules and Regulations Governing Agricultural Preserves in Riverside County.

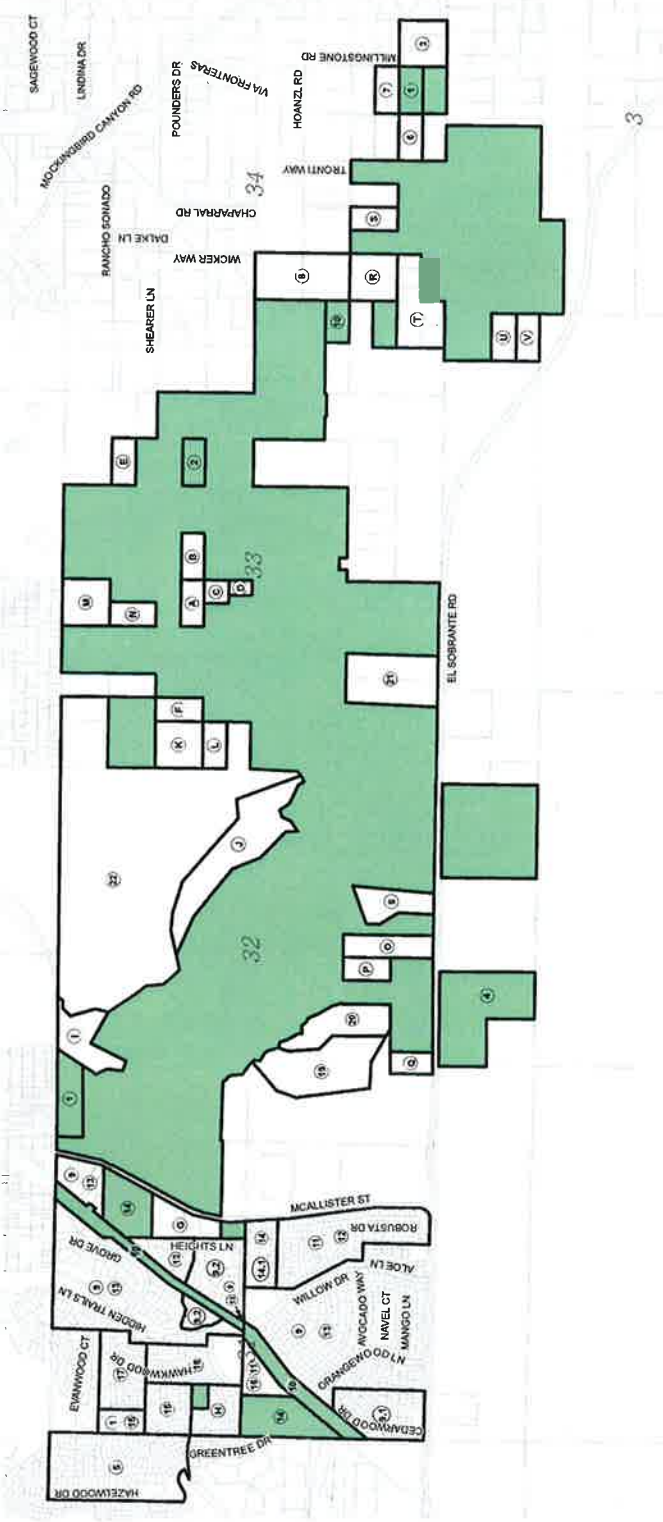
11 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the Clerk of this Board shall
12 file and record copies of this resolution, map and boundary description in the Office of the County
13 Recorder of Riverside County, California, and transmit copies to the Director of Conservation of the State
14 of California, and with the Office of the Assessor of Riverside County, California.

Exhibit A

MAP NO. 18 EL SOBRANTE AGRICULTURAL PRESERVE NO. 1

AMENDED BY MAPS NO. 48, 163, 348, 529, 558, 614, 814, 837, 666, 708, 712, 744, 791, 794, 819, 829, 830, 831, 832, 844, 854, 889, 1044

T. 3 S., R. 5 W



EXCLUSIONS:

A - Y

AMENDMENTS

- NO. 1, (ENLARGEMENT), FEBRUARY 9, 1970, MAP NO. 48
- NO. 2, (ENLARGEMENT), JANUARY 25, 1972, MAP NO. 163
- NO. 3, (DIMINISHMENT), DECEMBER 9, 1975, MAP NO. 348
- NO. 4, (ENLARGEMENT), JANUARY 13, 1981, MAP NO. 529
- NO. 5, (DIMINISHMENT), DECEMBER 22, 1987, MAP NO. 558
- NO. 6, (DIMINISHMENT), MAY 7, 1985, MAP NO. 614
- NO. 7, (DIMINISHMENT), DECEMBER 22, 1987, MAP NO. 637
- NO. 8, (DIMINISHMENT), JANUARY 23, 1990, MAP NO. 666
- NO. 9.1, (DIMINISHMENT), FEBRUARY 23, 1999, MAP NO. 708
- NO. 9.2, (DIMINISHMENT), JULY 27, 1999, MAP NO. 708
- NO. 10, (DIMINISHMENT), MAP NO. 712
- NO. 11, (DIMINISHMENT), MAP NO. 744
- NO. 12, (DIMINISHMENT), MAY 4, 1999, MAP NO. 791
- NO. 13, (DIMINISHMENT), DECEMBER 22, 1998, MAP 794
- NO. 14, (DIMINISHMENT), DECEMBER 22, 1998, MAP NO. 819
- NO. 14.1, (DIMINISHMENT), MARCH 19, 2002, MAP NO. 819
- NO. 15, (DIMINISHMENT), MAY 9, 2000, MAP NO. 829
- NO. 16, (DIMINISHMENT), MAY 9, 2000, MAP NO. 830
- NO. 17, (DIMINISHMENT), MAY 9, 2000, MAP NO. 831
- NO. 18, (DIMINISHMENT), MAY 9, 2000, MAP NO. 832
- NO. 19, (DIMINISHMENT), FEBRUARY 27, 2001, MAP NO. 844
- NO. 20, (DIMINISHMENT), AUGUST 6, 2002, MAP NO. 854
- NO. 21, (DIMINISHMENT), APRIL 8, 2003, MAP NO. 889
- NO. 22, (DIMINISHMENT), JUNE 16, 2015, MAP NO. 1044

ADOPTED ON FEBRUARY 24, 1969
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA

EXHIBIT "A"
LEGAL DESCRIPTION
TENTATIVE TRACT NO. 36475

THOSE PORTIONS OF SECTION 32 AND 33, TOWNSHIP 3 SOUTH, RANGE 5 WEST, S.B.M., AS SHOWN ON THE SECTIONALIZED SURVEY OF THE RANCHO EL SOBRANTE RECORDED IN MAP BOOK 7, PAGE 10, RECORDS OF SAN BERNARDINO COUNTY, CALIFORNIA DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHEAST CORNER OF SECTION 32 AS SHOWN ON THE RECORD OF SURVEY FILED IN BOOK 26, PAGE 15 OF RECORDS OF SURVEYS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY;

THENCE SOUTH 89°13'29" EAST 993.01 FEET ALONG THE NORTH LINE OF SAID SECTION 33;

THENCE SOUTH 00°55'18" WEST 656.05 FEET, TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 5 WEST, S.B.M.;

THENCE ALONG SAID NORTH LINE NORTH 89°14'05" WEST 992.96 FEET, TO A POINT ON THE EAST LINE OF SAID SECTION;

THENCE ALONG SAID SECTION LINE SOUTH 00°55'01" WEST 1640.57 FEET;

THENCE SOUTH 89°15'37" EAST 661.88 FEET, TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 5 WEST, S.B.M.;

THENCE SOUTH 00°55'12" WEST 328.05 FEET ALONG SAID LINE TO A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 33;

THENCE ALONG SAID SECTION LINE NORTH 89°15'55" WEST 661.87 FEET, TO A POINT ON THE EAST LINE OF SAID SECTION 32;

EXHIBIT "A"
LEGAL DESCRIPTION
TENTATIVE TRACT NO. 36475

THENCE ALONG SAID SECTION LINE SOUTH 00°55'01" WEST 640.44 FEET, TO THE SOUTH LINE OF PARCEL 1 AS SHOWN ON SAID RECORD OF SURVEY;

THENCE ALONG SAID PARCEL LINE SOUTH 62°14'50" WEST 112.78 FEET, TO THE MOST SOUTHERLY POINT OF SAID PARCEL 1, **THENCE** ALONG THE WESTERLY LINE OF SAID PARCEL 1 THE FOLLOWING FIFTEEN (15) COURSES:

1. NORTH 20°05'53" WEST 941.73 FEET;
2. SOUTH 84°59'57" WEST 263.76 FEET;
3. NORTH 48°19'48" WEST 1202.02 FEET;
4. NORTH 72°52'22" WEST 446.16 FEET;
5. NORTH 85°07'04" WEST 258.15 FEET;
6. SOUTH 78°00'06" WEST 558.30 FEET;
7. NORTH 43°00'03" WEST 280.74 FEET;
8. NORTH 07°38'14" WEST 247.78 FEET;
9. NORTH 35°56'00" WEST 199.32 FEET;
10. NORTH 33°34'13" WEST 426.52 FEET;
11. NORTH 13°03'32" EAST 181.23 FEET;
12. NORTH 14°27'08" WEST 355.44 FEET;
13. NORTH 46°11'00" EAST 144.52 FEET;
14. NORTH 87°49'14" EAST 115.17 FEET;
15. NORTH 34°16'37" EAST 81.21 FEET, TO THE NORTHERLY LINE OF SAID PARCEL 1, ALSO BEING THE NORTH LINE OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 5 WEST, S.B.M;

THENCE ALONG THE NORTHERLY LINE OF SAID SECTION 33 SOUTH 89°23'15" EAST 586.21 FEET;

EXHIBIT "A"
LEGAL DESCRIPTION
TENTATIVE TRACT NO. 36475

THENCE CONTINUING ALONG SAID NORTH LINE SOUTH 89°15'45" EAST 2638.55 FEET, TO THE POINT OF BEGINNING.

CONTAINING 7,332,366 SQUARE FEET, OR 168.32 ACRES, MORE OR LESS.

AS SHOWN ON EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

PREPARED UNDER THE SUPERVISION OF:



A handwritten signature in blue ink, appearing to read "Walter A. Sheek", written over a horizontal line.

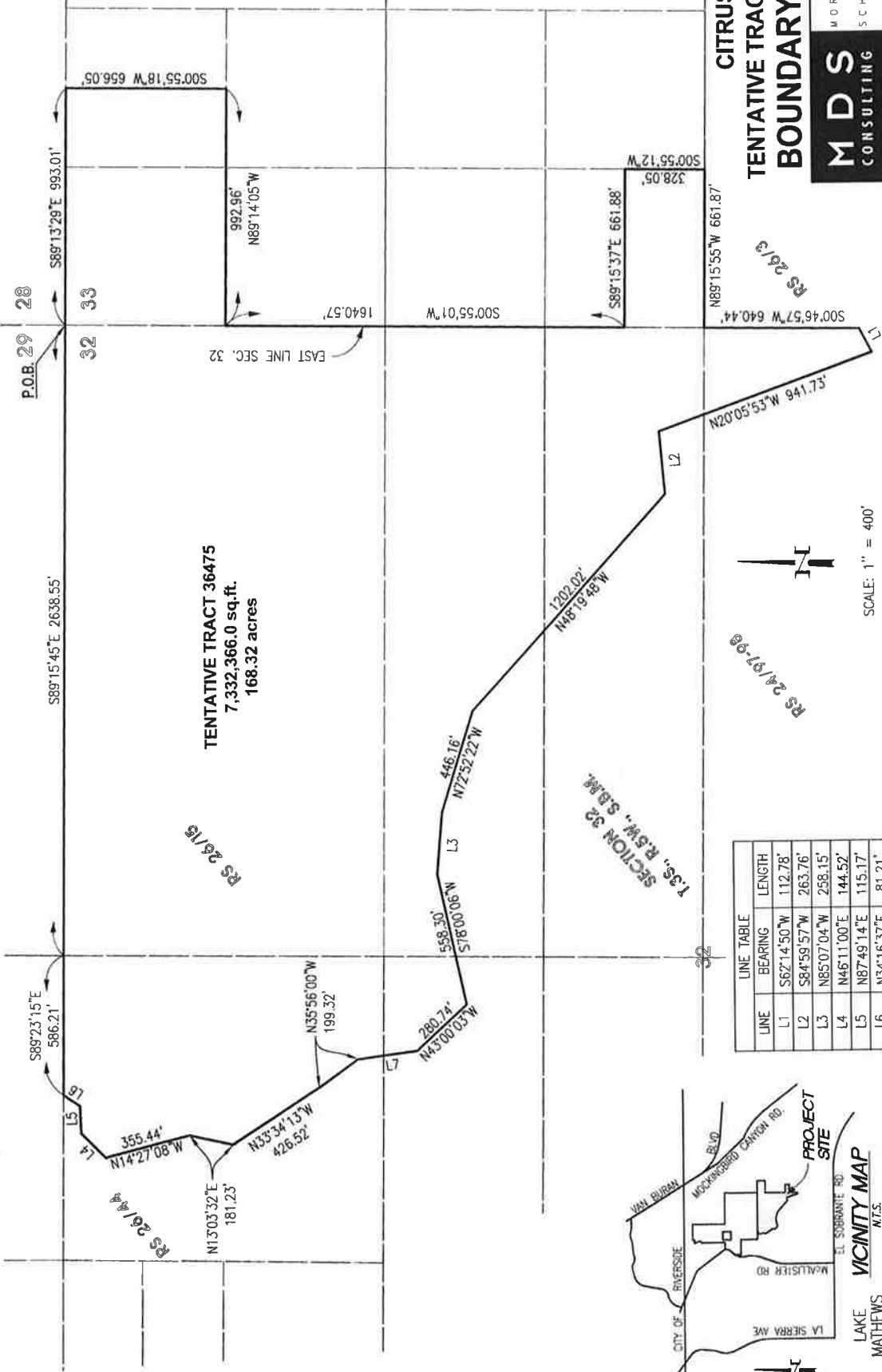
WALTER A. SHEEK, PLS 4838

EXPIRES SEPT. 30, 2016

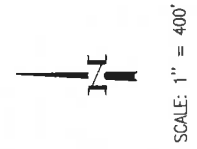
M D S CONSULTING	MORSE	17320 REDHILL AVE. SUITE 350 IRVINE, CA 92614
	SCHULTZ	PH: 949-251-8821 FAX: 949-251-0516
PLANNERS	ENGINEERS	SURVEYORS

EXHIBIT "B"

SKETCH TO ACCOMPANY LEGAL DESCRIPTION



LINE	BEARING	LENGTH
L1	S82°14'50"W	112.78'
L2	S84°59'57"W	263.76'
L3	N85°07'04"W	258.15'
L4	N46°11'00"E	144.52'
L5	N87°49'14"E	115.17'
L6	N34°16'37"E	81.21'
L7	N07°38'14"W	247.78'



CITRUS HEIGHTS II
TENTATIVE TRACT NO. 36475
BOUNDARY EXHIBIT

M D S
CONSULTING

MORSE
SUITE 350
IRVINE, CA 92614
SCHULTZ
PH: 949-251-8821
FAX: 949-251-0516

PLANNERS ENGINEERS SURVEYORS