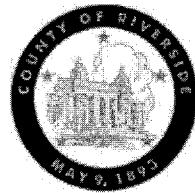


SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM
21.2
(ID # 8362)

MEETING DATE:

Tuesday, January 29, 2019

FROM : TLMA-PLANNING:

SUBJECT: TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: Public Hearing on GENERAL PLAN AMENDMENT NO. 1202, CHANGE OF ZONE NO. 7885, TENTATIVE TRACT MAP NO. 37254, AGRICULTURAL PRESERVE NO. 1056 and associated RESOLUTION NO. 2019-029 and MITIGATED NEGATIVE DECLARATION for ENVIRONMENTAL ASSESSMENT NO. 42839 – Applicant: Koll Custom Homes, Inc., c/o Greg Koll – Engineer/Representative: Love Engineering, Tom Love – Third Supervisorial District – Rancho California Zoning Area – Southwest Area Plan: Agricultural: Agricultural (AG:AG) (10 acre lot minimum) – Location: Northerly of Los Nogales Road and Westerly of Camino Del Vino – 51.5 Acres - Zoning: Citrus/Vineyard (C/V-10) - REQUEST: General Plan Amendment No. 1202 proposes to amend the General Plan Policy Area from the Temecula Valley Wine Country Policy Area – Winery District to the Temecula Valley Wine Country Policy Area – Residential District. Change of Zone No. 7885 proposes to amend the zoning classification for the subject property from Citrus/Vineyard, 10-acre lot minimum lot size (C/V-10) to Wine Country – Residential (WC-R) - Tentative Tract Map No. 37254 proposes to subdivide approximately 51.5 acres into 8 single-family residential lots. The lots range in size from 6 to 8.5 gross acres. Agricultural Preserve Case No. 1056 proposes to diminish 51.54 gross acres from the Rancho California Agricultural Preserve No. 11 – APN: 927-450-002. [Applicant fees 100%.]

RECOMMENDED MOTION: That the Board of Supervisors:
Continued on page 2

ACTION:


Charissa Lebon, Assistant TLMA Director 1/17/2019

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Washington, seconded by Supervisor Hewitt and duly carried by unanimous vote, IT WAS ORDERED that the above matter is tentatively approved as recommended, and staff is directed to prepare the necessary documents for final action.


Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt

Nays: None

Absent: None

Date: January 29, 2019

xc: Planning, Recorder, State Conservation Director, ACR, Treasurer Deputy

Kecia Harper,
Clerk of the Board
By: 

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

RECOMMENDED MOTION: That the Board of Supervisors:

ADOPT a **MITIGATED NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 42839**, based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect with the incorporation of mitigation measures on the environment; and,

TENTATIVELY APPROVE GENERAL PLAN AMENDMENT NO. 1202, modifying the boundary of the Wine Country – Winery District and the Wine Country – Residential District within the Temecula Valley Wine Country Policy Area as shown on the revised Figure 4B of the Southwest Area Plan, attached hereto, based on the findings and conclusions incorporated in the staff report; subject to adoption of the General Plan Cycle resolution by the Board of Supervisors; and,

TENTATIVELY APPROVE CHANGE OF ZONE NO. 7885 amending the zoning classification for the subject property from Citrus/Vineyard, 10-acre minimum lot size (C/V Zone-10) to Wine Country – Residential (WC-R Zone) in accordance with Exhibit #3, subject to adoption of the GPA Cycle Resolution, adoption of the Zoning Ordinance, final cancellation of the Land Conservation Contract, and based upon the findings and conclusions incorporated in the staff report; and,

TENTATIVELY APPROVE AGRICULTURAL PRESERVE CASE NO. 1056, a proposal as depicted on Map No. 1056 to diminish the Rancho California Agricultural Preserve No. 11 within the Southwest area, as recommended by the Comprehensive Agricultural Preserve Technical Advisory Committee on January 17, 2018, based on the findings and conclusions provided in the Comprehensive Agricultural Preserve Technical Advisory Report, and cancel the land conservation contract subject to the conditions in Resolution No. 2019-029; and,

ADOPT RESOLUTION NO. 2019-029 approving Agricultural Preserve case No. 1056 issuing certificates of tentative cancellation and diminishment of Rancho California Agricultural Preserve No.11; and,

APPROVE TENTATIVE TRACT MAP NO. 37254, subject to the attached advisory notification document and conditions of approval and to final approval of General Plan Amendment No. 1202 and Change of Zone No. 7885, and based upon the findings and conclusions incorporated into the staff report.

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A
NET COUNTY COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A
SOURCE OF FUNDS: Applicant Fees 100%			Budget Adjustment:	No
			For Fiscal Year:	N/A

C.E.O. RECOMMENDATION: Approve

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

BACKGROUND:

Summary

The Planning Commission considered the Project during a regularly scheduled public hearing on April 4, 2018. Three people spoke in opposition, two people who opposed the project donated their time, one person spoke in neutrality, one spoke in favor, and one person in favor donated their time. The Planning Commission recommended the Board of Supervisors approve the Project with direction that the applicant provide 75% of the project site devoted to the planting of vineyards and olive trees. The Planting Plan provided by the applicant notes that 62.99% of the net project area will be planted with vineyards, 11.48% of the net project area will be planted with olive trees and 0.74% of the net project area will be set aside for planting of either olive trees or vineyards within the building pad areas. Total area planted will be 75.21%. (See Attachment I.)

Due to concerns of a property owner within the project vicinity that were brought up at Planning Commission, the applicant on his own accord has changed the road serving lots 5-8 to a private gated road, which reduces the potential for traffic to use this new road for cut through from Los Nogales Road to Camino Del Vino. The road will be unpaved and will meet the dimension requirements of the Transportation Department and the Fire Department in regards to supporting the weight of emergency vehicles. Because the road is private, there will no longer be an easement for a community/equestrian trail. However, the applicant has agreed to dedicate to the County of Riverside a ten-foot (10') wide trail easement along the southern edge of the agricultural easement north of the delineated riparian area. The trail crosses over the main southern entrance of the tract and continues along the northern edge of Los Nogales Road. The trail is anticipated to be used for equestrian uses and vineyard maintenance and will not encroach into the area delineated as the "Riparian Area – No Disturbance". A 10-foot (10') wide trail will be provided along the western portion of Camino Del Vino and a 10-foot (10') wide trail will be provided along the southern portion of Los Nogales. (See Attachment H.)

The following conditions of approval have been added to reflect these changes:

015 – Planning. 19 – The net project site comprised of approximately 43.10 acres shall be planted with approximately 27.15 acres of vineyards (62.99%) and 4.95 acres of olive trees (11.48%) and 0.32 acres (0.74%) set aside within building pad areas for planting of olive trees or vineyards. The vineyard planting shall have an average density of 450 vines per acre or as otherwise approved by the Planning Director. The olive tree planting shall have an average density of 100 olive trees per acre or as otherwise approved by the Planning Director.

050 – Planning. 10 - An offer of dedication to the County of Riverside for a ten-foot (10') wide trail easement along the southern edge of the agricultural easement north of the riparian area as shown on TR37254 Exhibit A and shall be shown on the FINAL MAP and the Environmental Constraints Sheet. The trail is anticipated to also be used for vineyard maintenance and shall stay out of the area delineated on Exhibit A as "Riparian Area - No Disturbance". The northern portion of Los Nogales Road right-of-way accommodates a ten-foot (10') wide trail area as

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

shown on Exhibit A. Exhibit A also shows a ten-foot (10') wide trail area along the eastern boundary of the project area. The ten-foot (10') wide trail area is located within the western portion of Camino Del Vino road right-of-way and an easement recorded as "Instrument #1971-117509 OR REC'D October 15, 1971".

050 - Planning. 14 - The trail easement that is located within the agricultural easement; specifically within an area that will be used to cultivate vineyards, shall be maintained by the same entity that maintains the agricultural easement. This earthen base trail shall be clear from obstruction and shall accommodate a four-foot (4') wide trail with at least a two-foot (2') buffer on both sides of the path. The land divider/permit holder shall form or annex into a trails maintenance district or other maintenance district approved by the County of Riverside, for the maintenance of the ten-foot (10') wide Roadside trails located along the northern portion of Los Nogales Road and the western portion of Camino Del Vino. The land divider, or the land divider's successors-in-interest or assignees, shall be responsible for the maintenance of the community trail easement until such time as the maintenance is taken over by the appropriate maintenance district. The ten-foot (10') wide trail easement shall accommodate a four-foot (4') wide trail with at least a two-foot (2') wide buffer on both sides of the path. This trail shall be improved with decomposed granite and shall be separated from the road with planted vineyards.

050 - Planning. 16 - Prior to the Recordation of the Final Map, the applicant must provide deed restrictions for the development which shows all mapped agriculture easements and associated language for all restrictions within each lot.

050 - Transportation. 6 - Unnamed private access road (from Camino Del Vino to Los Nogales Road) (privately maintained) is designated as a private access road and shall be improved with 24 feet of Class 3, Aggregate Base (0.33' thick) on a 40 foot graded section within a 40' private road easement as approved by the Director of Transportation. The easement shall provide the offer of dedication for public utility purposes along with the right of ingress and egress for emergency vehicles.

NOTE:

Gates on unnamed private road easement point of access shall be installed 35' radial from the right of way line.

060 - Planning. 12 - The land divider/permit holder shall cause grading plans to be prepared which delineates grading adjacent to or within a proposed trail easement adjacent to lot numbers 1, 2, 3, and 4, as delineated on the TENTATIVE MAP. Said grading must conform to the trail standards of the General Plan.

080 - Planning. 7 - Fifty (50%) percent of the vineyards and olive trees for each lot shall be planted prior to the issuance of building permits for each lot.

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
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090 – Planning. 7 - Seventy-five (75%) of the overall net project area shall be planted with vineyards and olive trees that substantially conforms with APPROVED EXHIBIT P and so that olive tree planting may count to a maximum of 15% of the site area for planting and that a minimum of 60% of the site area be planted in vineyard. This shall be accomplished by each lot providing a portion of the overall planting area needed. Prior to issuance of occupancy or final inspection, planting of vineyards and olive trees shall be planted that substantially conforms to APPROVED EXHIBIT P.

After taking public testimony, the Planning Commission closed the public hearing and recommended approval of the project to the Board of Supervisors.

Agriculture Preserve No. 1056 proposes to diminish Rancho California Agricultural Preserve No. 11 on 51.54 gross acres. On January 17, 2018, the Comprehensive Agricultural Preserve Technical Advisory Committee (CAPTAC) considered an application to diminish the Rancho California Agricultural Preserve No. 11, Map No. 1056 and recommended the approval of the diminishment. The review authority of the Agricultural Preserve and the Land Conservation Contract is the Board of Supervisors and a recommendation from the Planning Commission is not required. If the Board of Supervisors concurs with staff's recommendation of final action to the diminishment of the agricultural preserve and the Land Conservation Contract, the project land will be diminished from the agricultural preserve and the Williamson Act contract will be cancelled subsequent to today's action, subject to the conditions in Resolution No. 2019-029.

The project site is currently within the Temecula Valley Wine Country Policy Area – Winery District and zoned Citrus/Vineyards with a 10 acre minimum lot size (C/V-10); however, the project site is proposed to be added to the Temecula Valley Wine Country Policy Area – Residential District and rezoned to Wine Country – Residential, which is not considered an agricultural zone, pursuant to Section 21.3b of Riverside County Ordinance No. 348. Therefore, once the site is rezoned, the project will not conflict with agricultural zoning or uses. The majority of the proposed 8 residential housing pads are outside of the prime farmland area which is along the southern portion of the site. The Tentative Tract Map exhibit indicates and notes that approximately 75% of the project site will be located in a permanent easement devoted to vineyard planting and olive trees.

Impact on Residents and Businesses

The impacts of this project have been evaluated through the environmental review and public hearing process by the Planning Department and at the Planning Commission Hearing.

Additional Fiscal Information

All fees are paid by the applicant. No General Fund dollars will be used.

ATTACHMENTS:

A. Resolution No. 2019-029

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

- B. Non-Renewal Exhibit**
- C. AG 1056 Rancho California No. 11**
- D. CAPTAC Report**
- E. Exhibit A- AG 1056**
- F. Planning Commission Minutes**
- G. Planning Commission Staff Report**
- H. Amended Tentative Tract Map Exhibit**
- I. Planting Plan**
- J. Public Comments and Staff's Response**


Scott Brueckner 1/17/2019


Gregory F. Priarios, Director County Counsel 1/17/2019

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

KECIA HARPER-IHEM, CLERK OF THE BOARD
RIVERSIDE CO. CLERK OF THE BOARD
4080 LEMON STREET, 1ST FLOOR CAC
P O BOX 1147 – RIVERSIDE, CA 92502

MAIL STOP # 1010

AND WHEN RECORDED MAIL TO:

RETURN TO: STOP #1010
RIVERSIDE COUNTY CLERK OF THE BOARD
P. O. BOX 1147 – RIVERSIDE, CA 92502

2019-0052875

02/15/2019 10:47 AM Fee: \$ 0.00

Page 1 of 11

Recorded in Official Records
County of Riverside
Peter Aldana
Assessor-County Clerk-Recorder



THIS SPACE FOR RECORDERS USE ONLY

110

RESOLUTION NO. 2019-029

Title of Document

**APPROVING AGRICULTURAL PRESERVE CASE NO. 1056
ISSUING CERTIFICATE OF TENTATIVE CANCELLATION AND DIMINISHMENT OF RANCHO
CALIFORNIA AGRICULTURAL PRESERVE NO. 11**

(THIRD SUPERVISORIAL DISTRICT)

(Transportation Department ~ Item 21.2 of 01/29/19)

RESOLUTION NO. 2019-029

**APPROVING AGRICULTURAL PRESERVE CASE NO. 1056
ISSUING CERTIFICATE OF TENTATIVE CANCELLATION AND
DIMINISHMENT OF RANCHO CALIFORNIA**

AGRICULTURAL PRESERVE NO. 11

(Government Code Section 51283.4)

WHEREAS, a Land Conservation contract was executed by Richard C. Burns, and Burdette P. Mast doing business as Burns-Mast Vineyards pursuant to the Land Conservation Act of 1965 (Government Code Section 51200 et. seq.) for land within the Rancho California Agricultural Preserve No. 11; and,

WHEREAS, such Land Conservation contract, dated January 1, 1977, with the County of Riverside is for land currently identified as APNs 927-450-002 (“Property”) and was recorded on June 30, 1977, as Instrument No. 122118, in the Office of the County Recorder of Riverside County, California; and,

WHEREAS, the Property is further described in Exhibit A for the Rancho California Agricultural Preserve Case No. 1056 which is attached hereto and incorporated herein by reference and,

WHEREAS, the total gross acreage of the Property is 51.54 acres; and

WHEREAS, Heavenstone Corporation (“Property Owner”), the current owner of the Property, filed a Notice of Nonrenewal on May 26, 2016, which notice was recorded on February 1, 2018, as instrument No. 2018-0041285, in the Office of the County Recorder of Riverside County, California; and

WHEREAS, the Property Owner also petitioned to cancel the Land Conservation contract for the Property and to diminish the Rancho California Agricultural Preserve No. 11, as amended through Map No. 853B, by removing the Property from the boundaries of the agricultural preserve; and

WHEREAS, Agricultural Preserve Case No. 1056 will diminish the Rancho California Agricultural Preserve No. 11 in accordance with the map titled Map No. 321, Rancho California Agricultural Preserve No. 11 as amended through Map No. 1056 attached hereto and incorporated herein; and,

WHEREAS, all the provisions of the California Environmental Quality Act (CEQA) and the Rules and Regulations Governing Agricultural Preserves in Riverside County (Resolution No. 84-526) have been

FORM APPROVED COUNTY COUNSEL
BY:  DATE 1/18/2019
LYNETTE M. CLYDE

1 satisfied, including the preparation of a Mitigated Negative Declaration for Environmental Assessment No.
2 42839; and,

3 **WHEREAS**, the Property Owner has proposed, if the cancellation is approved, that the land will be
4 used for the following alternative use: 8 residential lots. The lots range in size from 6 to 8.5 gross acres
5 (“Project”),

6 **WHEREAS**, the total amount of the cancellation fee for the Property, pursuant to Section 51283.4
7 of the Government Code, has been determined and certified by the Board of Supervisors to be \$849,125.00;
8 and,

9 **WHEREAS**, a public hearing was held on this matter by the Riverside County Board of Supervisors
10 on January 29, 2019.

11 **BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the Board of Supervisors
12 of the County of Riverside, State of California, in regular session assembled on January 29, 2019, that:

- 13 1. The above recitals are incorporated herein by this reference.
- 14 2. The subject parcels affected by the proposed diminishment are included under the Land
15 Conservation contract.
- 16 3. Pursuant to the Notice of Nonrenewal submitted on May 26, 2016, the Land Conservation
17 Contract on the 51.54 acres will expire on January 1, 2026 (GC 51245 and R&T Code
18 426(c)).
- 19 4. The cancellation fee was determined by the Riverside County Assessor’s Office to be a total
20 of \$849,125.00.
- 21 5. The Project site’s location is North of Los Nogles Road, south of Monte de Oro Road, east
22 of Rancho California Road, and west of Camino del Vino Road, within the Temecula Valley
23 Wine Country Policy Area – Winery District. The site is the 51.54 acre portion of the 166.63
24 acres subject to the land conservation contract.
- 25 6. According to the Natural Resource Conservation Service, the Soils Capability Classification
26 as indicated in the USDA Soil Survey for Riverside County indicates that the site is fifty
27 (50) percent within Class II and forty (40) percent within Class IV, and ten (10) percent
28 within Class VIII.

1 7. A General Plan Amendment No. 1202, Change of Zone No. 7885, Tentative Tract Map
2 (Tract Map No. 37254) is being processed with this Agricultural Preserve case and
3 constitutes the proposed alternative land use for the 51.54 gross acres area that is the subject
4 of this diminishment and cancellation. The proposed alternative land use is consistent with
5 the Riverside County General Plan, as described in more detail below.

6 **BE IT FURTHER RESOLVED** by the Board of Supervisors that:

- 7 1. The cancellation is for land on which a Notice of Nonrenewal has been served.
- 8 2. The cancellation is not likely to result in the removal of adjacent lands from agricultural uses
9 as the Project will not affect the ability to use adjacent lands for agriculture. The properties
10 to the north, east, west and south are either uncultivated or are under agricultural production,
11 and this cancellation would not change that circumstance. To the west and south of the
12 Project is a residential development of approximately 5 acre lots; and to the north and east
13 is land designated Agriculture that has a density requirement that equates to 10-acre and
14 greater lots. The properties to the west and south are also either uncultivated or are under
15 agricultural production, and this cancellation would not change that circumstance. In the
16 event that a subdivision were to be proposed on the current agricultural lands to the north
17 and east, it would include large lots ranging in sizes from 5 to 10 acres, which would not
18 preclude agricultural uses. As a result, this cancellation will not remove these lands from
19 agricultural uses.
- 20 3. The cancellation will only remove 51.54 gross acres, leaving approximately 115 gross acres
21 in the Agricultural Preserve, ensuring the viability for long-term continued agricultural
22 production on a substantial portion of the adjacent agricultural preserve. The subdivision
23 accompanying the proposed cancellation will be conditioned on that all future residences be
24 notified that there are adjacent agricultural uses and that these agricultural uses are not
25 subject to nuisance complaints. Therefore, based upon the above, the cancellation is not
26 likely to result in the removal of adjacent lands from agricultural uses.
- 27 4. The alternative land use proposed by General Plan Amendment No. 1202 is proposing to
28 amend the boundaries of the Wine Country – Winery District and the Wine Country –

1 Residential District within the Temecula Valley Wine Country Policy Area by removing the
2 subject property consisting of 51.54 gross acres from the Wine Country – Winery District
3 and placing it within the Wine Country – Residential District. The Change of Zone No. 7885
4 proposes to amend the zoning classification for the subject property from Citrus/Vineyard,
5 10-acre minimum lot size (C/V Zone -10) to Wine Country – Residential (WC-R Zone).
6 Also, the Tentative Tract Map No. 37254 is proposing a Schedule D subdivision to divide a
7 51.54 gross acre lot into 8 single-family residential lots. The lots range in size from 6 to 8.5
8 gross acres. The proposed amendment to the boundary of land within Rancho California
9 Agricultural Preserve No. 11 is primarily Agriculture, one dwelling units per every 5 acres,
10 which would allow for typical residential tract development that has a lot size of around 5 –
11 10 acre minimum.

12 5. The cancellation is for an alternative use that is consistent with the applicable provisions of
13 the Riverside County General Plan. The alternative use is a single family subdivision which
14 is generally consistent with both the existing General Plan designation of Wine Country –
15 Winery District and the proposed General Plan Amendment modifying portions of the
16 project site from Wine Country – Winery District and the Wine Country – Residential
17 District within the Temecula Valley Wine Country Policy Area as shown on the revised
18 Figure 4B of the Southwest Area Plan. Based upon the above, the cancellation for an
19 alternative use is consistent with the applicable provisions of the Riverside County General
20 Plan.

21 6. The cancellation will not result in discontinuous patterns of urban development because the
22 existing General Plan land use designations and zoning classifications for the surrounding
23 parcels to the north, south and east limit commercial and high density residential
24 development; and, therefore, provide a buffer for the surrounding parcels from urbanization
25 by limiting lot sizes to the north and east to a minimum of at least 5 acre lots which can
26 maintain agricultural uses. The lots to the south are designated in the General Plan as
27 Agriculture. Additionally, the parcels to the west are already built out as single family
28 residential homes at up to 5 acres lots, therefore, the project will continue residential

1 development from the west in a contiguous manner with no other uses between the proposed
2 project and the urban uses to the west. Therefore, the Project is not expected to result in
3 discontinuous patterns of urban development.

4 7. There is also no other nearby parcel that is not subject to a land conservation contract and
5 that is both available and suitable for the Project. The Project is located adjacent to low
6 density General Plan designated property to the north, west, east, and south. No adjacent or
7 even nearby parcels would be available for the proposed medium density project because of
8 either the existing uses of the properties or the low density designations applied to those
9 properties. Therefore, there is no other nearby parcel that is not subject to a land
10 conservation contract and that is both available and suitable for the Project.

11 8. Therefore, based on the above, the public's interest in implementing the goals and policies
12 of the Riverside County General Plan substantially outweighs the purpose of the Williamson
13 Act and there is no proximate, noncontracted alternative land available and suitable for the
14 proposed Project.

15 9. Diminishment of Agricultural Preserve No. 11 by removing 51.54 acres will not have a
16 significant impact upon the environment and a Mitigated Negative Declaration for
17 Environmental Assessment No. 42839 is adopted based on the findings incorporated in the
18 initial study.

19 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the applicant shall comply with
20 the following conditions prior to issuance of a Certificate of Final Cancellation with respect to the Property
21 as outlined in Government Code Section 51283.4:

- 22 1. The cancellation fee of \$849,125.00 shall be paid; and,
- 23 2. All conditions necessary for the County to issue grading permits for any portion of Tract
24 Map No. 37254 shall have been met; and,
- 25 3. The landowner shall notify the Board of Supervisors when all conditions and contingencies
26 enumerated in this Certificate of Tentative Cancellation have been satisfied with respect to
27 the Land Conservation Contract. Within 30 days of receipt of such notice, and upon
28 determination that the conditions and contingencies have been satisfied, the Board of

1 Supervisors shall cause to be executed and recorded a Certificate of Final Cancellation with
2 respect to the Land Conservation Contract.

3 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the Clerk of this Board shall file
4 and record copies of this resolution, Property description as shown in Exhibit A and the map titled Map No.
5 321 Rancho California Agricultural Preserve No. 11 as amended through Map No. 1056, in the Office of
6 the County Recorder of Riverside County, California, and transmit copies thereof to the Director of
7 Conservation of the State of California, the Treasurer of Riverside County, and the Assessor of Riverside
8 County; and that upon fulfillment of all of the conditions, the landowners will be titled to a Certificate of
9 Final Cancellation that provides as follows:

- 10 1. Rancho California Agricultural Preserve No. 11, Map No. 321, as adopted on February 18,
11 1975, amended through Map No. 853B, is further amended by Map No. 1056 deleting
12 therefrom the area shown and described in Exhibit A, attached hereto, being on file in the
13 Office of the Clerk of the Board.
- 14 2. The Land Conservation Contract will be canceled to the extent said contract applies to the
15 land referenced in the petition for cancellation of the aforementioned property owner,
16 thereby removing from the effect of said contract the real property in the County of
17 Riverside, State of California, described in Exhibit A attached hereto.

18 **BE IT FURTHER RESOLVED** by the Board of Supervisors that, if any portion of the cancellation
19 fee of \$849,125.00 is not paid within one year following the recordation of this Certificate of Tentative
20 Cancellation, that portion of the fee shall be recomputed pursuant to Government Code Section 5.1283.4
21 (a), and the applicable landowner shall be required to pay the applicable portion of the recomputed fee as a
22 condition to issuance of a Certificate of Final Cancellation of the Land Conservation Contract.

23 **BE IT FURTHER RESOLVED** by the Board of Supervisors that, upon application of the
24 landowner, the Board of Supervisors may hereafter amend a tentatively approved specified alternative use
25 if the Board finds that such amendment is consistent with the findings made pursuant to Government Code
26 Section 51282.

2 RESOLUTION NO. 2019 – 029

3 **ISSUING CERTIFICATE OF TENTATIVE CANCELLATION AND DIMINISHMENT OF RANCHO**
4 **CALIFORNIA AGRICULTURAL PRESERVE NO. 11**

5 ADOPTED by Riverside County Board of Supervisors on January 29, 2019.

6 ROLL CALL:

7 Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
8 Nays: None
9 Absent: None

10
11
12 The foregoing is certified to be a true copy of a resolution duly adopted by said Board of
Supervisors on the date therein set forth.

13 KECIA HARPER, Clerk of said Board

14
15 By: 
Deputy

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22 01.29.19 21.2

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24
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PETER ALDANA
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER

Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000

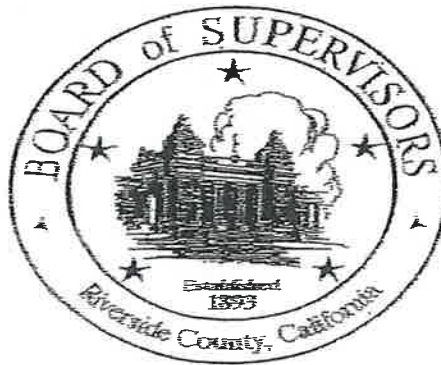
www.riversideacr.com

CERTIFICATION

Pursuant to the provisions of Government Code 27361.7, I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

CLARIFICATION OF THE SEAL for the Riverside County Board of Supervisors
(embossed on document)



Date:

1/29/2019

Signature:

Lorraine Williams

Print Name:

Lorraine Williams, Board Assistant, Riverside County Clerk of the Board

EXHIBIT A
RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 11
MAP NO. 1056

The following described Real Property of Riverside County, State of California, described as follows:

Description

All of Rancho California Agricultural Preserve No. 11, Map No. 1056, as shown in Exhibit "A" of instrument No. 2014-0438157, dated November 17, 2014, described as Parcel G-3, in the County of Riverside, State of California, as per map filed in Book 50 Pages 68-75, inclusive of Record of Surveys, in the Office of the County Recorder of said County, and further described as:

Beginning at the intersection of Los Nogales Road and Camino Del Vino;

Thence northerly along said centerline of Camino Del Vino for a distance of 499.17 feet;

Thence South 71°06'38" West for a distance of 1274.27 feet;

Thence South 87°01'35" West for a distance of 1715.40 feet;

Thence South 3°25'02" West for a distance of 681.80 feet to the centerline of Los Nogales Road;

Thence easterly along said centerline of Los Nogales Road to **THE POINT OF BEGINNING**.

Assessor Parcel No.	Acres (net)	Owner
927-450-002	48.81 (51.54 gross acres)	Heavenstone Corporation

MAP NO. 321 RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 11

AMENDED BY MAP NO. 356, 389, 846, 853B, 1056

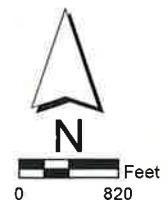
T. 7 S., R. 2 W. S.B.B. & M.
T. 7 S., R. 1 W. S.B.B. & M.



AMENDMENTS:

NO. 1, (ENLARGEMENT),	FEBRUARY 03, 1976,	MAP NO. 356
NO. 2, (ENLARGEMENT),	- DENIED -	MAP NO. 373
NO. 3, (ENLARGEMENT),	SEPTEMBER 28, 1976,	MAP NO. 389
NO. 4, (DIMINISHMENT),	MARCH 20, 2001,	MAP NO. 846
NO. 5, (DIMINISHMENT),	APRIL 23, 2002,	MAP NO. 853B
NO. 6, (DIMINISHMENT),		MAP NO. 1056

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



RIVERSIDE COUNTY



Peter Aldana
Riverside County
Assessor-County Clerk-Recorder
2724 Gateway Drive
Riverside, CA 92507
(951) 486-7000
www.riversideacr.com

Receipt: 19-42778

Product	Name	Extended
951	RESOLUTION/ORDINANCE	\$0.00
	Document #	2019-0052875
	# Pages	11
Total		\$0.00
Change (On Account)		\$0.00
Account#	CLB	
Account Name	CLB - CLERK OF THE BOARD	
Balance	\$75.50	
Comment	LORRAIN WILLIAMS 9519558092	

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

KECIA HARPER-IHEM, CLERK OF THE BOARD
RIVERSIDE CO. CLERK OF THE BOARD
4080 LEMON STREET, 1ST FLOOR CAC
P O BOX 1147 – RIVERSIDE, CA 92502

MAIL STOP # 1010

AND WHEN RECORDED MAIL TO:

RETURN TO: STOP #1010
RIVERSIDE COUNTY CLERK OF THE BOARD
P. O. BOX 1147 – RIVERSIDE, CA 92502

2019-0052875

02/15/2019 10:47 AM

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Peter Aldana
County Of Riverside
Assessor-County Clerk-Recorder

THIS SPACE FOR RECORDERS USE ONLY

RESOLUTION NO. 2019-029

Title of Document

**APPROVING AGRICULTURAL PRESERVE CASE NO. 1056
ISSUING CERTIFICATE OF TENTATIVE CANCELLATION AND DIMINISHMENT OF RANCHO
CALIFORNIA AGRICULTURAL PRESERVE NO. 11**

(THIRD SUPERVISORIAL DISTRICT)

(Transportation Department ~ Item 21.2 of 01/29/19)

2

3 **RESOLUTION NO. 2019-029**

4 **APPROVING AGRICULTURAL PRESERVE CASE NO. 1056**

5 **ISSUING CERTIFICATE OF TENTATIVE CANCELLATION AND**

6 **DIMINISHMENT OF RANCHO CALIFORNIA**

7 **AGRICULTURAL PRESERVE NO. 11**

8 **(Government Code Section 51283.4)**

9 **WHEREAS**, a Land Conservation contract was executed by Richard C. Burns, and Burdette P.

10 Mast doing business as Burns-Mast Vineyards pursuant to the Land Conservation Act of 1965 (Government

11 Code Section 51200 et. seq.) for land within the Rancho California Agricultural Preserve No. 11; and,

12 **WHEREAS**, such Land Conservation contract, dated January 1, 1977, with the County of Riverside

13 is for land currently identified as APNs 927-450-002 ("Property") and was recorded on June 30, 1977, as

14 Instrument No. 122118, in the Office of the County Recorder of Riverside County, California; and,

15 **WHEREAS**, the Property is further described in Exhibit A for the Rancho California Agricultural

16 Preserve Case No. 1056 which is attached hereto and incorporated herein by reference and,

17 **WHEREAS**, the total gross acreage of the Property is 51.54 acres; and

18 **WHEREAS**, Heavenstone Corporation ("Property Owner"), the current owner of the Property, filed

19 a Notice of Nonrenewal on May 26, 2016, which notice was recorded on February 1, 2018, as instrument

20 No. 2018-0041285, in the Office of the County Recorder of Riverside County, California; and

21 **WHEREAS**, the Property Owner also petitioned to cancel the Land Conservation contract for the

22 Property and to diminish the Rancho California Agricultural Preserve No. 11, as amended through Map No.

23 853B, by removing the Property from the boundaries of the agricultural preserve; and

24 **WHEREAS**, Agricultural Preserve Case No. 1056 will diminish the Rancho California Agricultural

25 Preserve No. 11 in accordance with the map titled Map No. 321, Rancho California Agricultural Preserve

26 No. 11 as amended through Map No. 1056 attached hereto and incorporated herein; and,

27 **WHEREAS**, all the provisions of the California Environmental Quality Act (CEQA) and the Rules

28 and Regulations Governing Agricultural Preserves in Riverside County (Resolution No. 84-526) have been

FORM APPROVED COUNTY COUNSEL
 BY: LYNETTE M. CLYDE DATE 1/17/2019

1 satisfied, including the preparation of a Mitigated Negative Declaration for Environmental Assessment No.
2 42839; and,

3 **WHEREAS**, the Property Owner has proposed, if the cancellation is approved, that the land will be
4 used for the following alternative use: 8 residential lots. The lots range in size from 6 to 8.5 gross acres
5 (“Project”),

6 **WHEREAS**, the total amount of the cancellation fee for the Property, pursuant to Section 51283.4
7 of the Government Code, has been determined and certified by the Board of Supervisors to be \$849,125.00;
8 and,

9 **WHEREAS**, a public hearing was held on this matter by the Riverside County Board of Supervisors
10 on January 29, 2019.

11 **BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the Board of Supervisors
12 of the County of Riverside, State of California, in regular session assembled on January 29, 2019, that:

- 13 1. The above recitals are incorporated herein by this reference.
- 14 2. The subject parcels affected by the proposed diminishment are included under the Land
15 Conservation contract.
- 16 3. Pursuant to the Notice of Nonrenewal submitted on May 26, 2016, the Land Conservation
17 Contract on the 51.54 acres will expire on January 1, 2026 (GC 51245 and R&T Code
18 426(c)).
- 19 4. The cancellation fee was determined by the Riverside County Assessor’s Office to be a total
20 of \$849,125.00.
- 21 5. The Project site’s location is North of Los Nogles Road, south of Monte de Oro Road, east
22 of Rancho California Road, and west of Camino del Vino Road, within the Temecula Valley
23 Wine Country Policy Area – Winery District. The site is the 51.54 acre portion of the 166.63
24 acres subject to the land conservation contract.
- 25 6. According to the Natural Resource Conservation Service, the Soils Capability Classification
26 as indicated in the USDA Soil Survey for Riverside County indicates that the site is fifty
27 (50) percent within Class II and forty (40) percent within Class IV, and ten (10) percent
28 within Class VIII.

1 7. A General Plan Amendment No. 1202, Change of Zone No. 7885, Tentative Tract Map
2 (Tract Map No. 37254) is being processed with this Agricultural Preserve case and
3 constitutes the proposed alternative land use for the 51.54 gross acres area that is the subject
4 of this diminishment and cancellation. The proposed alternative land use is consistent with
5 the Riverside County General Plan, as described in more detail below.

6 **BE IT FURTHER RESOLVED** by the Board of Supervisors that:

- 7 1. The cancellation is for land on which a Notice of Nonrenewal has been served.
- 8 2. The cancellation is not likely to result in the removal of adjacent lands from agricultural uses
9 as the Project will not affect the ability to use adjacent lands for agriculture. The properties
10 to the north, east, west and south are either uncultivated or are under agricultural production,
11 and this cancellation would not change that circumstance. To the west and south of the
12 Project is a residential development of approximately 5 acre lots; and to the north and east
13 is land designated Agriculture that has a density requirement that equates to 10-acre and
14 greater lots. The properties to the west and south are also either uncultivated or are under
15 agricultural production, and this cancellation would not change that circumstance. In the
16 event that a subdivision were to be proposed on the current agricultural lands to the north
17 and east, it would include large lots ranging in sizes from 5 to 10 acres, which would not
18 preclude agricultural uses. As a result, this cancellation will not remove these lands from
19 agricultural uses.
- 20 3. The cancellation will only remove 51.54 gross acres, leaving approximately 115 gross acres
21 in the Agricultural Preserve, ensuring the viability for long-term continued agricultural
22 production on a substantial portion of the adjacent agricultural preserve. The subdivision
23 accompanying the proposed cancellation will be conditioned on that all future residences be
24 notified that there are adjacent agricultural uses and that these agricultural uses are not
25 subject to nuisance complaints. Therefore, based upon the above, the cancellation is not
26 likely to result in the removal of adjacent lands from agricultural uses.
- 27 4. The alternative land use proposed by General Plan Amendment No. 1202 is proposing to
28 amend the boundaries of the Wine Country – Winery District and the Wine Country –

1 Residential District within the Temecula Valley Wine Country Policy Area by removing the
2 subject property consisting of 51.54 gross acres from the Wine Country – Winery District
3 and placing it within the Wine Country – Residential District. The Change of Zone No. 7885
4 proposes to amend the zoning classification for the subject property from Citrus/Vineyard,
5 10-acre minimum lot size (C/V Zone -10) to Wine Country – Residential (WC-R Zone).
6 Also, the Tentative Tract Map No. 37254 is proposing a Schedule D subdivision to divide a
7 51.54 gross acre lot into 8 single-family residential lots. The lots range in size from 6 to 8.5
8 gross acres. The proposed amendment to the boundary of land within Rancho California
9 Agricultural Preserve No. 11 is primarily Agriculture, one dwelling units per every 5 acres,
10 which would allow for typical residential tract development that has a lot size of around 5 –
11 10 acre minimum.

12 5. The cancellation is for an alternative use that is consistent with the applicable provisions of
13 the Riverside County General Plan. The alternative use is a single family subdivision which
14 is generally consistent with both the existing General Plan designation of Wine Country –
15 Winery District and the proposed General Plan Amendment modifying portions of the
16 project site from Wine Country – Winery District and the Wine Country – Residential
17 District within the Temecula Valley Wine Country Policy Area as shown on the revised
18 Figure 4B of the Southwest Area Plan. Based upon the above, the cancellation for an
19 alternative use is consistent with the applicable provisions of the Riverside County General
20 Plan.

21 6. The cancellation will not result in discontinuous patterns of urban development because the
22 existing General Plan land use designations and zoning classifications for the surrounding
23 parcels to the north, south and east limit commercial and high density residential
24 development; and, therefore, provide a buffer for the surrounding parcels from urbanization
25 by limiting lot sizes to the north and east to a minimum of at least 5 acre lots which can
26 maintain agricultural uses. The lots to the south are designated in the General Plan as
27 Agriculture. Additionally, the parcels to the west are already built out as single family
28 residential homes at up to 5 acres lots, therefore, the project will continue residential

1 development from the west in a contiguous manner with no other uses between the proposed
2 project and the urban uses to the west. Therefore, the Project is not expected to result in
3 discontinuous patters of urban development.

4 7. There is also no other nearby parcel that is not subject to a land conservation contract and
5 that is both available and suitable for the Project. The Project is located adjacent to low
6 density General Plan designated property to the north, west, east, and south. No adjacent or
7 even nearby parcels would be available for the proposed medium density project because of
8 either the existing uses of the properties or the low density designations applied to those
9 properties. Therefore, there is no other nearby parcel that is not subject to a land
10 conservation contract and that is both available and suitable for the Project.

11 8. Therefore, based on the above, the public's interest in implementing the goals and policies
12 of the Riverside County General Plan substantially outweighs the purpose of the Williamson
13 Act and there is no proximate, noncontracted alternative land available and suitable for the
14 proposed Project.

15 9. Diminishment of Agricultural Preserve No. 11 by removing 51.54 acres will not have a
16 significant impact upon the environment and a Mitigated Negative Declaration for
17 Environmental Assessment No. 42839 is adopted based on the findings incorporated in the
18 initial study.

19 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the applicant shall comply with
20 the following conditions prior to issuance of a Certificate of Final Cancellation with respect to the Property
21 as outlined in Government Code Section 51283.4:

- 22 1. The cancellation fee of \$849,125.00 shall be paid; and,
- 23 2. All conditions necessary for the County to issue grading permits for any portion of Tract
24 Map No. 37254 shall have been met; and,
- 25 3. The landowner shall notify the Board of Supervisors when all conditions and contingencies
26 enumerated in this Certificate of Tentative Cancellation have been satisfied with respect to
27 the Land Conservation Contract. Within 30 days of receipt of such notice, and upon
28 determination that the conditions and contingencies have been satisfied, the Board of

1 Supervisors shall cause to be executed and recorded a Certificate of Final Cancellation with
2 respect to the Land Conservation Contract.

3 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the Clerk of this Board shall file
4 and record copies of this resolution, Property description as shown in Exhibit A and the map titled Map No.
5 321 Rancho California Agricultural Preserve No. 11 as amended through Map No. 1056, in the Office of
6 the County Recorder of Riverside County, California, and transmit copies thereof to the Director of
7 Conservation of the State of California, the Treasurer of Riverside County, and the Assessor of Riverside
8 County; and that upon fulfillment of all of the conditions, the landowners will be titled to a Certificate of
9 Final Cancellation that provides as follows:

- 10 1. Rancho California Agricultural Preserve No. 11, Map No. 321, as adopted on February 18,
11 1975, amended through Map No. 853B, is further amended by Map No. 1056 deleting
12 therefrom the area shown and described in Exhibit A, attached hereto, being on file in the
13 Office of the Clerk of the Board.
- 14 2. The Land Conservation Contract will be canceled to the extent said contract applies to the
15 land referenced in the petition for cancellation of the aforementioned property owner,
16 thereby removing from the effect of said contract the real property in the County of
17 Riverside, State of California, described in Exhibit A attached hereto.

18 **BE IT FURTHER RESOLVED** by the Board of Supervisors that, if any portion of the cancellation
19 fee of \$849,125.00 is not paid within one year following the recordation of this Certificate of Tentative
20 Cancellation, that portion of the fee shall be recomputed pursuant to Government Code Section 5.1283.4
21 (a), and the applicable landowner shall be required to pay the applicable portion of the recomputed fee as a
22 condition to issuance of a Certificate of Final Cancellation of the Land Conservation Contract.

23 **BE IT FURTHER RESOLVED** by the Board of Supervisors that, upon application of the
24 landowner, the Board of Supervisors may hereafter amend a tentatively approved specified alternative use
25 if the Board finds that such amendment is consistent with the findings made pursuant to Government Code
26 Section 51282.

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RESOLUTION NO. 2019 – 029

ISSUING CERTIFICATE OF TENTATIVE CANCELLATION AND DIMINISHMENT OF RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 11

ADOPTED by Riverside County Board of Supervisors on January 29, 2019.

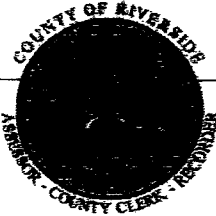
ROLL CALL:

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.

KECIA HARPER, Clerk of said Board

By: 
Deputy



PETER ALDANA
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER

Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000

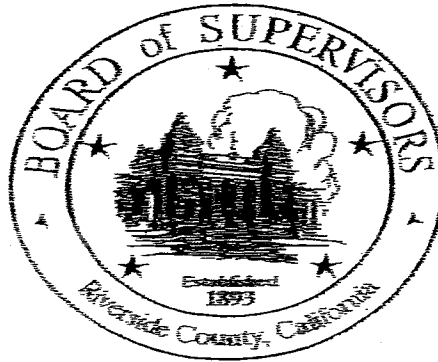
www.riversideacr.com

CERTIFICATION

Pursuant to the provisions of Government Code 27361.7, I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

CLARIFICATION OF THE SEAL for the Riverside County Board of Supervisors
(embossed on document)



Date:

1/29/2019

Signature:

Lorraine Williams

Print Name:

Lorraine Williams, Board Assistant, Riverside County Clerk of the Board

EXHIBIT A
RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 11
MAP NO. 1056

The following described Real Property of Riverside County, State of California, described as follows:

Description

All of Rancho California Agricultural Preserve No. 11, Map No. 1056, as shown in Exhibit "A" of instrument No. 2014-0438157, dated November 17, 2014, described as Parcel G-3, in the County of Riverside, State of California, as per map filed in Book 50 Pages 68-75, inclusive of Record of Surveys, in the Office of the County Recorder of said County, and further described as:

Beginning at the intersection of Los Nogales Road and Camino Del Vino;

Thence northerly along said centerline of Camino Del Vino for a distance of 499.17 feet;

Thence South 71°06'38" West for a distance of 1274.27 feet;

Thence South 87°01'35" West for a distance of 1715.40 feet;

Thence South 3°25'02" West for a distance of 681.80 feet to the centerline of Los Nogales Road;

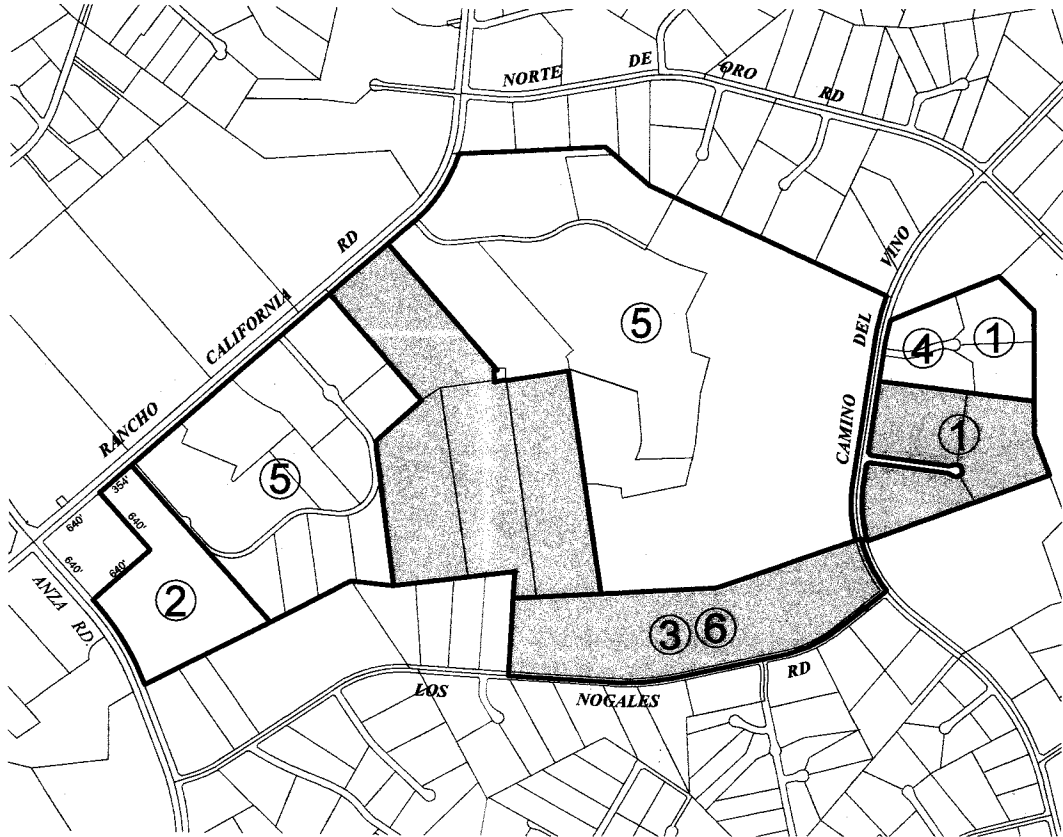
Thence easterly along said centerline of Los Nogales Road to **THE POINT OF BEGINNING**.

Assessor Parcel No.	Acres (net)	Owner
927-450-002	48.81 (51.54 gross acres)	Heavenstone Corporation

MAP NO. 321 RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 11

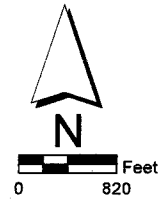
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*T. 7 S., R. 2 W. S.B.B. & M.
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- NO. 6, (DIMINISHMENT), MAP NO. 1056



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

RIVERSIDE COUNTY

9 mins

**Riverside County Board of Supervisors
Request to Speak**

Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: LARRY SMALLEY

Address: 35725 LOS NOGALES RD
(only if follow-up mail response requested)

City: TEMECULA **Zip:** 92592

Phone #: 949/677-7154

Date: 1-29-19 **Agenda #** 21.2

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

Support Oppose Neutral

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

Support Oppose Neutral

I give my 3 minutes to: LARRY SMALLEY



BOARD RULES

Requests to Address Board on "Agenda" Items:

You may request to be heard on a published agenda item. Requests to be heard must be submitted to the Clerk of the Board before the scheduled meeting time.

Requests to Address Board on items that are "NOT" on the Agenda:

Notwithstanding any other provisions of these rules, member of the public shall have the right to address the Board during the mid-morning "Oral Communications" segment of the published agenda. Said purpose for address must pertain to issues which are under the direct jurisdiction of the Board of Supervisors. YOUR TIME WILL BE LIMITED TO THREE (3) MINUTES.

Power Point Presentations/Printed Material:

Speakers who intend to conduct a formalized Power Point presentation or provide printed material must notify the Clerk of the Board's Office by 12 noon on the Monday preceding the Tuesday Board meeting, insuring that the Clerk's Office has sufficient copies of all printed materials and at least one (1) copy of the Power Point CD. Copies of printed material given to the Clerk (by Monday noon deadline) will be provided to each Supervisor. If you have the need to use the overhead "Elmo" projector at the Board meeting, please insure your material is clear and with proper contrast, notifying the Clerk well ahead of the meeting, of your intent to use the Elmo.

Individual Speaker Limits:

Individual speakers are limited to a maximum of three (3) minutes. Please step up to the podium when the Chairman calls your name and begin speaking immediately. Pull the microphone to your mouth so that the Board, audience, and audio recording system hear you clearly. Once you start speaking, the "green" podium light will light. The "yellow" light will come on when you have one (1) minute remaining. When you have 30 seconds remaining, the "yellow" light will begin flash, indicating you must quickly wrap up your comments. Your time is up when the "red" light flashes. The Chairman adheres to a strict three (3) minutes per speaker. **Note: If you intend to give your time to a "Group/Organized Presentation", please state so clearly at the very bottom of the reverse side of this form.**

Group/Organized Presentations:

Group/organized presentations with more than one (1) speaker will be limited to nine (9) minutes at the Chairman's discretion. The organizer of the presentation will automatically receive the first three (3) minutes, with the remaining six (6) minutes relinquished by other speakers, as requested by them on a completed "Request to Speak" form, and clearly indicated at the front bottom of the form.

Addressing the Board & Acknowledgement by Chairman:

The Chairman will determine what order the speakers will address the Board, and will call on all speakers in pairs. The first speaker should immediately step to the podium and begin addressing the Board. The second speaker should take up a position in one of the chamber aisles in order to quickly step up to the podium after the preceding speaker. This is to afford an efficient and timely Board meeting, giving all attendees the opportunity to make their case. Speakers are prohibited from making personal attacks, and/or using coarse, crude, profane or vulgar language while speaking to the Board members, staff, the general public and/or meeting participants. Such behavior, at the discretion of the Board Chairman may result in removal from the Board Chambers by Sheriff Deputies.

**Riverside County Board of Supervisors
Request to Speak**

Submit request to Clerk of Board (right of podium),
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Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: MARCIA ~~LARRY~~ SMALLEY

Address: 35725 Los NOGALES RD
(only if follow-up mail response requested)

City: TEMECULA **Zip:** 92592

Phone #: 949/677-5829

Date: 1-29-19 **Agenda #** 21.2

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:
 Support Oppose Neutral

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I give my 3 minutes to: LARRY SMALLEY

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**Riverside County Board of Supervisors
Request to Speak**

Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Constantine Cummings

Address: 42713 Mountain Run Circle
(only if follow-up mail response requested)

City: Temecula **Zip:** 92590

Phone #: 310 760-3709

Date: 1-29-19 **Agenda #** 21.2

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

Support Oppose Neutral

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I give my 3 minutes to: LARRY SMALLBY

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Individual speakers are limited to a maximum of three (3) minutes. Please step up to the podium when the Chairman calls your name and begin speaking immediately. Pull the microphone to your mouth so that the Board, audience, and audio recording system hear you clearly. Once you start speaking, the "green" podium light will light. The "yellow" light will come on when you have one (1) minute remaining. When you have 30 seconds remaining, the "yellow" light will begin flash, indicating you must quickly wrap up your comments. Your time is up when the "red" light flashes. The Chairman adheres to a strict three (3) minutes per speaker. **Note: If you intend to give your time to a "Group/Organized Presentation", please state so clearly at the very bottom of the reverse side of this form.**

Group/Organized Presentations:

Group/organized presentations with more than one (1) speaker will be limited to nine (9) minutes at the Chairman's discretion. The organizer of the presentation will automatically receive the first three (3) minutes, with the remaining six (6) minutes relinquished by other speakers, as requested by them on a completed "Request to Speak" form, and clearly indicated at the front bottom of the form.

Addressing the Board & Acknowledgement by Chairman:

The Chairman will determine what order the speakers will address the Board, and will call on all speakers in pairs. The first speaker should immediately step to the podium and begin addressing the Board. The second speaker should take up a position in one of the chamber aisles in order to quickly step up to the podium after the preceding speaker. This is to afford an efficient and timely Board meeting, giving all attendees the opportunity to make their case. Speakers are prohibited from making personal attacks, and/or using coarse, crude, profane or vulgar language while speaking to the Board members, staff, the general public and/or meeting participants. Such behavior, at the discretion of the Board Chairman may result in removal from the Board Chambers by Sheriff Deputies.

**Riverside County Board of Supervisors
Request to Speak**

Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
to Board Rules listed on the reverse side of this
form.

SPEAKER'S NAME: Greg Koll

Address: 28780 Old Town Front St.

City: Temecula **Zip:** 92590

Phone #: 951-225-1065

Date: 1-29-19 **Agenda #** 21.2

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

Support **Oppose** **Neutral**

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

Support **Oppose** **Neutral**

I give my 3 minutes to: _____



BOARD RULES

Requests to Address Board on "Agenda" Items:

You may request to be heard on a published agenda item. Requests to be heard must be submitted to the Clerk of the Board before the scheduled meeting time.

Requests to Address Board on items that are "NOT" on the Agenda/Public Comment:

Notwithstanding any other provisions of these rules, a member of the public shall have the right to address the Board during the mid-morning "Oral Communications" segment of the published agenda. Said purpose for address must pertain to issues which are under the direct jurisdiction of the Board of Supervisors. YOUR TIME WILL BE LIMITED TO THREE (3) MINUTES. Donated time is not permitted during Public Comment.

Power Point Presentations/Printed Material:

Speakers who intend to conduct a formalized Power Point presentation or provide printed material must notify the Clerk of the Board's Office by 12 noon on the Monday preceding the Tuesday Board meeting, insuring that the Clerk's Office has sufficient copies of all printed materials and at least one (1) copy of the Power Point CD. Copies of printed material given to the Clerk (by Monday noon deadline) will be provided to each Supervisor. If you have the need to use the overhead "Elmo" projector at the Board meeting, please ensure your material is clear and with proper contrast, notifying the Clerk well ahead of the meeting, of your intent to use the Elmo.

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PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

KECIA HARPER-IHEM, CLERK OF THE BOARD
RIVERSIDE CO. CLERK OF THE BOARD
4080 LEMON STREET, 1ST FLOOR CAC
PO BOX 1147 - RIVERSIDE, CA 92502

MAIL STOP # 1010

AND WHEN RECORDED MAIL TO:

RETURN TO: STOP #1010
RIVERSIDE COUNTY CLERK OF THE BOARD
PO BOX 1147 - RIVERSIDE, CA 92502

2018-0041285

02/01/2018 01:02 PM Fee: \$ 0.00

Page 1 of 10

Recorded in Official Records
County of Riverside
Peter Aldana
Assessor-County Clerk-Recorder



459

THIS SPACE FOR RECORDERS USE ONLY

NOTICE OF NON-RENEWAL
AGRICULTURAL PRESERVE (AGN00173)
Client Submittal Date: May 26, 2016

Rancho California Agricultural Preserve No. 11, Amend. No. 3, Map No. 389

Current Owners:

**Heavenstone Corporation, a Nevada corporation doing business in California as
Heavenstone Ranch Corporation**

TLMA/PLANNING

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

CLERK OF THE BOARD
DEPARTMENT
(CAC - 1st Floor)

AND WHEN RECORDED MAIL TO:

RETURN TO STOP#1010
Clerk of the Board
(CAC Bldg. - 1st Floor)

THIS SPACE FOR RECORDERS USE ONLY

NOTICE OF NONRENEWAL NO. _____ FOR THE **ENTIRE PROPERTY**
UNDER A LAND CONSERVATION CONTRACT

NOTICE IS HEREBY GIVEN pursuant to Section 51245 of the California Government Code that the undersigned, being all of the owners of the affected real property, elect not to renew Land Conservation Contract or Agreement dated 01/01/1977 and recorded on 06/30/1977 as Instrument No. 122118 in the Office of the County Recorder of Riverside County, California. The real property affected by this notice is located in the Rancho California Agricultural Preserve No. 11, Map No. 389, dated 02/04/1975.

(See attached Legal)

Assessor's Parcel Number(s) of land affected:
927-450-002

ORIGINAL OWNER(S)

RICHARD L. BURNS AND BURDETTE P.
MAST, doing business as BURN-MAST
VINEYARDS

CURRENT OWNER(S)

William E. Sluss CFO & Secretary of Heaven's Gate Corp
Signature (Title and Company if applicable)
William E. Sluss
Print Name

Signature (Title and Company if applicable)

Print Name

Signature (Title and Company if applicable)

Print Name

Signature (Title and Company if applicable)

Print Name

(All original and current owners must be listed)

Acknowledgement of Receipt
Kecia Harper-Ihem, Clerk of the Board

By: [Signature]
Deputy

Date: 2/11/18

NOTARY ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)

COUNTY OF Riverside)

On 1/23/18 before me, Lesly Biselle Rodriguez, Notary Public
(Date) (Name and title of officer (e.g. "James Doe, Notary Public"))

personally appeared William E. Stuss
(Name(s) of signer(s))

who 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 State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Lesly Biselle Rodriguez
Notary Public

{SFAL}

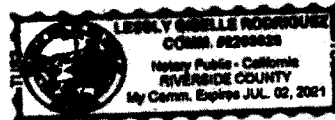


EXHIBIT A
RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 11
MAP NO. 389
(NOTICE OF NON-RENEWAL)

The following described Real Property of Riverside County, State of California, described as follows:

Description

All of Rancho California Agricultural Preserve No. 11, Map No. 389, as shown in Exhibit "A" of instrument No. 2014-0438157, dated November 17, 2014, described as Parcel G-3, in the County of Riverside, State of California, as per map filed in Book 50 Pages 68-75, inclusive of Record of Surveys, in the Office of the County Recorder of said County, and further described as:

Beginning at the intersection of Los Nogales Road and Camino Del Vino;

Thence northerly along said centerline of Camino Del Vino for a distance of 499.17 feet;

Thence South 71°06'38" West for a distance of 1274.27 feet;

Thence South 87°01'35" West for a distance of 1715.40 feet;

Thence South 3°25'02" West for a distance of 681.80 feet to the centerline of Los Nogales Road;

Thence easterly along said centerline of Los Nogales Road to **THE POINT OF BEGINNING**.

Assessor Parcel No.	Acres (net)	Owner
927-450-002	48.81 (51.54 gross acres)	Heavenstone Corporation

DOC # 2014-0438157

11/17/2014 08:00 AM Fees: \$27.00

Page 1 of 5 Doc T Tax Paid

Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder

RECORDING REQUESTED BY:
Provident Title Company

AND WHEN RECORDED MAIL TO:

William E. Sluss
Heavenstone Ranch Corp.
17800 Castleton Drive #300
City of Industry, CA 91748

**This document was electronically submitted
to the County of Riverside for recording**
Received by: CARAGON

Mail Tax Statements to Return Address Above

THIS SPACE FOR RECORDER'S USE ONLY:

Title Order No.: 12363254

Escrow No.: 14-65504-DB

GRANT DEED

THE UNDERSIGNED GRANTOR(S) DECLARE(S)

DOCUMENTARY TRANSFER TAX is \$ NOT OF PUBLIC RECORD.

TRA-094-147

computed on full value of property conveyed, or

computed on full value less value of liens or encumbrances remaining at time of sale.

Unincorporated area City of AND

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Jaime Sirebrenik and Irene Sirebrenik, Trustees of The Jaime and Irene Sirebrenik Trust dated October 22, 1996; Gerhard Schwarzblatt, as Trustee of The Schwarzblatt Multi-Generational Trust; Jaime Sirebrenik, Trustee of The Sirebrenik Multi-Generational Trust dated October 22, 1996 and Gerhard Schwarzblatt, Trustee of The Joyce and Daniel Schwarzblatt Trust

hereby GRANT(s) to:

Heavenstone Corporation, a Nevada corporation doing business in California as Heavenstone Ranch Corporation

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

LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A" AND MADE A PART HEREOF

Also Known as: Approx 48 Acres Camino Del Vino, Temecula, CA

APN: 927-450-002-7

DATE: October 23, 2014

PLEASE SEE PAGE TWO FOR GRANTOR'S SIGNATURE.


MAIL TAX STATEMENTS TO PARTY SHOWN BELOW; IF NO PARTY SHOWN, MAIL AS DIRECTED ABOVE:

GRANT DEED - PAGE TWO

GRANTOR'S SIGNATURE:

Jaime Sirebrenik and Irene Sirebrenik, Trustees of The Jaime and Irene Sirebrenik Trust dated October 22, 1996

By: 
Jaime Sirebrenik, Trustee

By: 
Irene Sirebrenik, Trustee


Gerhard Schwarzblatt, as Trustee of The Schwarzblatt Multi-Generational Trust

By: 
Gerhard Schwarzblatt, Trustee

Jaime Sirebrenik, Trustee of The Sirebrenik Multi-Generational Trust dated October 22, 1996

By: 
Jaime Sirebrenik, Trustee

Gerhard Schwarzblatt, Trustee of The Joyce and Daniel Schwarzblatt Trust

By: 
Gerhard Schwarzblatt, Trustee

ACKNOWLEDGMENT

State of California
County of Los Angeles

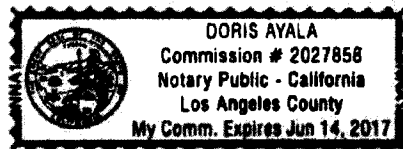
On October 24, 2014 before me, Doris Ayala, a Notary Public
(insert name and title of the officer)

personally appeared Gerhard Schwarzblatt
who 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 State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature *Doris Ayala* (Seal)



ACKNOWLEDGMENT

State of California
County of Los Angeles)

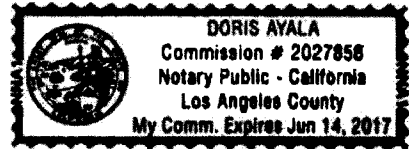
On October 24, 2014 before me, Doris Ayala, a Notary Public
(insert name and title of the officer)

personally appeared Jaime Sirebrenik and Irene Sirebrenik
who 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/hers/their authorized capacity(ies), and that by his/hers/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 State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature *Doris Ayala* (Seal)



ORDER NO.: 12363254

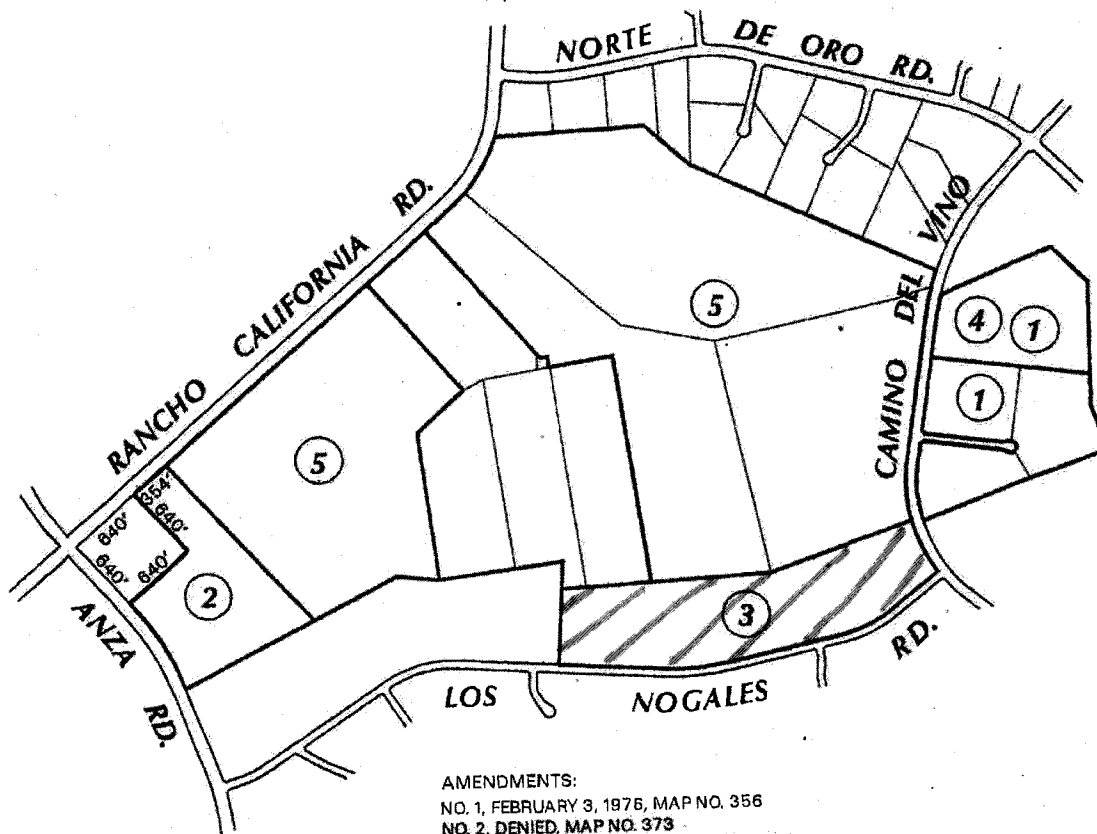
EXHIBIT "A"

PARCEL G-3, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 50 PAGES 68 TO 75, INCLUSIVE, OF RECORD OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

MAP NO. 321 RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 11

AMENDED BY MAPS NO. 366, 373, 389, 846, 853B

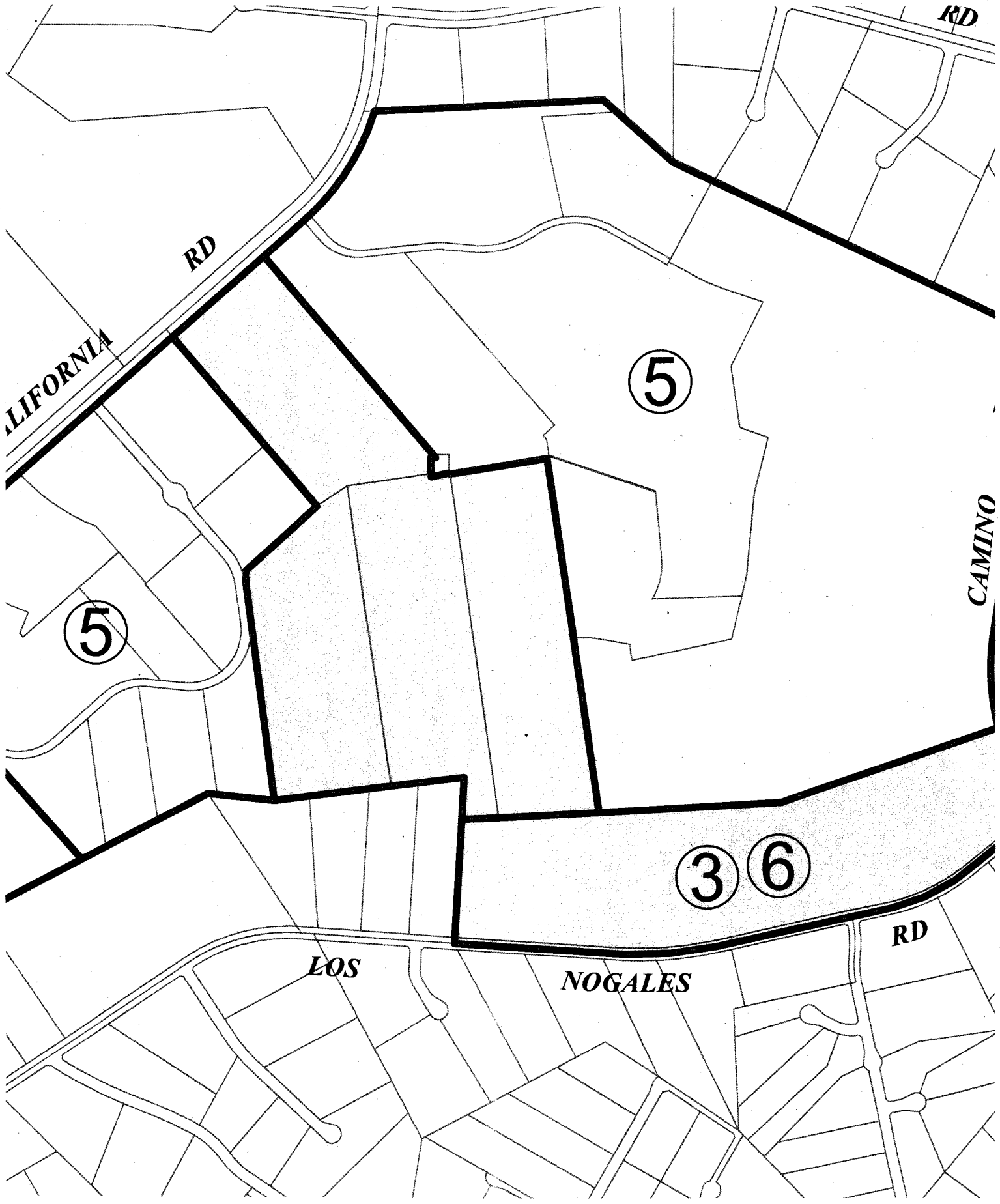
T.7S., R.2W. S.B.B. & M.
T.7S., R.1W. S.B.B. & M.



- AMENDMENTS:
 NO. 1, FEBRUARY 3, 1976, MAP NO. 356
 NO. 2, DENIED, MAP NO. 373
 NO. 3, SEPTEMBER 28, 1976, MAP NO. 389
 NO. 4, (DIMINISHMENT), MARCH 20, 2001, MAP NO. 846
 NO. 5, (DIMINISHMENT), APRIL 23, 2002, MAP NO. 853B

ADOPTED ON FEBRUARY 4, 1975
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA.





CALIFORNIA

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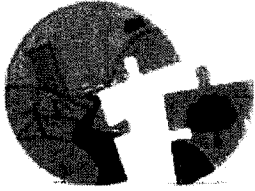
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RIVERSIDE COUNTY
PLANNING DEPARTMENT

Charissa Leach, P.E.
Assistant TLMA Director

December 27, 2017

TO ALL CAPTAC MEMBERS:

The Planning Department has received applications for agricultural preserve projects, which require Comprehensive Agricultural Preserve Technical Advisory Committee (CAPTAC) review. A CAPTAC meeting has been scheduled for January 17, 2018 at 10:00 a.m. and will be held in Conference Room 12A on the 12th Floor of the County Administrative Center at 4080 Lemon Street in Riverside, California. An agenda for the meeting is attached for review.

CAPTAC will be expected to provide findings and a recommendation to the Board of Supervisors for each of the cases presented. Section 508, 509, and 510 of the Rules and Regulations Governing Agricultural Preserves in Riverside County provide the basis for the required findings, and the attached forms are provided to assist you in making these findings and recommendations.

Please complete your portion of the Agricultural Preserve Technical Advisory Committee Reports (attached) prior to the meeting, and provide a copy to the Planning Department, on or before the CAPTAC meeting. The Planning Department will compile all findings submitted by members of the CAPTAC.

It is important that all Committee members be present to vote on these items. If for any reason you are unable to attend, please arrange to have a designee represent you at the meeting. If this is not possible, please contact Robert Flores as soon as possible, so the meeting can be reschedule.

If you have any questions, please contact Robert Flores directly by phone at (951) 955-1195 or by email at RFlores@rivco.org.

Sincerely yours,

RIVERSIDE COUNTY PLANNING DEPARTMENT
Charissa Leach, Assistant TLMA Director

Robert Flores, Urban/Regional Planner III

Enclosures

Riverside Office · 4080 Lemon Street, 12th Floor
P.O. Box 1409, Riverside, California 92502-1409
(951) 955-3200 · Fax (951) 955-1811

Desert Office · 77-588 El Duna Court, Suite H
Palm Desert, California 92211
(760) 863-8277 · Fax (760) 863-7040

DATE: January 17, 2017

TIME: 10:00 AM

LOCATION: Riverside County Planning Department
County Administration Center (CAC)
Conference Room 12A, 12TH Floor
4080 Lemon Street
Riverside, CA 92501

AGENDA:

1. **Agricultural Preserve Case No. 1056** (Diminishment/Cancellation of Contract)
Project Site: APN 927-450-002 (48.52 gross acres)
Proposed Alternative Land Use: Eight (8) single-family residential lots, ranging in size from 6 to 8.5 gross acres.
Related Case: AGN00173, TR37254, GPA01202, CZ07885, and EA42839
Agricultural Preserve: Rancho California Agricultural Preserve No. 11
2. **Agricultural Preserve Case No. 1062** (Diminishment/Cancellation of Contract)
Project Site: APN 537-200-014 (10.00 gross acres)
Proposed Alternative Land Use: Class IV Dog Kennel for 80 dogs total, with three (3) dog kennel buildings and an office/training barn structure. Existing residence will remain.
Related Case: CUP03771 and EA43010
Agricultural Preserve: San Gorgonio Pass Agricultural Preserve No. 1
3. **Agricultural Preserve Case No. 1070** (Diminishment/Enter into Contract)
Project Site: APN 943-210-012 (Site: 19.43 gross acres/Diminishment: 2.724 acres)
Proposed Alternative Land Use: Class V Winery, including wine production and tasting, a winery hotel, and recreational areas. The use will not include a restaurant or a special occasion (weddings or outdoor events) facility.
Related Case: AGN00192, PP26225, and EA43008
Agricultural Preserve: Rancho California Agricultural Preserve No. 22

AG No. 1056

**AGRICULTURAL PRESERVE
TECHNICAL ADVISORY COMMITTEE REPORT**

Preserve Name & No. Rancho California Agricultural Preserve No. 11 Map No. 853B
Applicant's Name: Koll Custom Homes Date Received 5-26-16
Address: P. O. Box 1658, Temecula, CA 92593 Supv. Dist. Third

1. **Planning Department**

- A. Type of Application: _____ Establish _____ Enlarge
_____ Disestablish X Diminish
- B. Acreage: 51.54 gross acres (48.52 net)
- C. Cities within 1 mile: None
- D. Existing Zoning: Citrus/Vineyards - 10 Acre Minimum (C/V-10)
- E. Existing Land Use: Agriculture - Vineyards
- F. General Plan Land Use: Agriculture: Agriculture (AG)
- G. General Location: North of Los Nogles Road, south of Monte de Oro Road,
east of Rancho California Road, and west of Camino del
Vino Road, within the Temecula Valley Wine Country
Policy Area - Winery District.

2. **Agricultural Commissioner**

- A. Existing agricultural uses or crops, acreage, and average income or crop return per acre for last year (County-wide values):
48.5 AC/ Wine Grapes
2016 Value= \$3,650/AC
- B. Number and type of livestock: None

3. **Cooperative Extension**

- A. Suitable commercial agricultural uses: Yes
- B. Availability of irrigation water: Yes
- C. Nuisance effects: No

4. **Natural Resource Conservation Service**

- A. Types of soils and soils capability classifications: (SEE ATTACHED LIST)
At02 Arlington Fine Sandy Loam IVe-1
GyC2 Greenfield Sandy Loam IIe-1

G2G-Gullied Land VIII e-1

B. Comparison of soil acreage (estimated):

50% Class II

40% Class IV

10% Class VIII

C. Has a Soils Conservation Plan been prepared for this property? No erosion

D. Soils problems: _____

5. **Assessor**

A. Last annual assessed valuation: [2017] \$312,453

B. Estimated annual assessed valuation: [2017] \$1,621,291

C. Estimated differential: <\$1,308,838> or ~\$13,721 in taxes

D. Penalty fee (if applicable): \$849,125

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

927-450-002 48.52 Acres

Heavenstone Corp.

This parcel is SE of Rancho California Road on Los Nogales Road. It appears to be vineyard land.

O.K. for diminishment/cancellation status.

6. **County Counsel**

7. **Committee recommendation on application:** _____ Acceptable _____ Not acceptable

Summary and Conclusions:

The Comprehensive Agricultural Preserve Technical Advisory Committee (CAPTAC) evaluated the proposed cancellation of the land conservation contract on the subject site. The purpose of this evaluation was to determine if the proposed cancellation is consistent with the purpose of the Land Conservation Act of 1965. Based on its evaluation, CAPTAC could make the five findings necessary to conclude that the proposed cancellation is consistent with the Land Conservation Act of 1965 (Act). Based on its findings, CAPTAC concluded that the proposed cancellation 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 cancellation/diminishment. CAPTAC affirmed all of the five findings necessary to conclude that the proposed cancellation is consistent with the Act. Therefore, CAPTAC made the following findings, pursuant to Section 605(4) of Rules and Regulations Governing Agricultural Preserves in Riverside County, as amended (Resolution NO. 84-526):

I. Whether a notice of nonrenewal has been served pursuant to the [Notice of Nonrenewal] Section 401 of the [Rules and Regulations Governing Agricultural Preserves in Riverside County, as amended (Resolution NO. 84-526)].

An Application for Notice of Nonrenewal within an Agricultural Preserve was submitted to the Riverside County Planning Department and deemed complete on May 26, 2016. The Notice of Nonrenewal was recorded by the Riverside County Clerk-Recorder on February 1, 2018 as Instrument No. 2018-0041285.

II. Whether the cancellation is likely to result in the removal of adjacent lands from agricultural use.

The project site abuts Los Nogales Road, with established agricultural uses surrounding its north, west, and east property boundary - all of which lie within the Temecula Valley Wine Country Policy Area - Winery District (Winery District), which promotes the winery industry and tourism while maintaining the areas agricultural and rural nature. Additionally, many agricultural uses and rural residential developments are located south of Los Nogales Road within the Temecula Valley Wine Country Policy Area - Residential District (Residential District), which promotes rural residential development. Los Nogales Road serves as the boundary, in this area, between the Winery and Residential Districts. Both the Winery and Residential Districts promote the continuance of existing and new agricultural uses, including those incidental to any commercial or residential development, and all surrounding sites have a General Plan Land Use designation of Agriculture. Therefore, the very nature of this area will preclude this cancellation from influencing the removal of any adjacent agricultural uses, and current policy and regulation will maintain the vastly agricultural nature of the area and adjacent lands.

III. Whether the proposed alternative use of land is consistent the provisions of the County General Plan.

The proposed alternative use: rural residential development of eight (8) single-family residential lots, ranging from 6 to 8 ½ gross acres. The project site is located within the Southwest Area Plan (SWAP) and has a land use designation of Agriculture, with a zoning classification of Citrus/Vineyards - 10-acre minimum (C/V-10). The Project site is also located within the Temecula Valley Wine Country Policy Area (Policy Area), specifically within the Policy Area's Winery District. However, General Plan Amendment (GPA) No. 1202 proposes to adjust the districts' boundaries to add the project site to the Temecula Valley Wine Country Policy Area- Residential District, and Change of Zone (CZ) No. 7885 proposes make the project site's zoning consistent with the General Plan, SWAP, and Policy Area. If the proposed GPA and CZ are approved and

adopted, the alternative use may be considered consistent with the County's General Plan with the conditional approval of Tract Map No. 37254.

IV. **Whether the cancellation will result in discontinuous patterns of urban development.**

The project site will be added to the Residential District, which promotes rural residential development. Additionally, there are clusters of rural residential sites to the south, east and west of the project site. Therefore, the proposed alternative use will expand the existing contiguous pattern of rural residential development.

V. **Whether there is proximate noncontracted land which is both available and suitable for use to which it is proposed the contracted land be put, or, whether the development of the contracted land would provide more contiguous patterns of urban development than the development of proximate noncontracted land.**

Development of the subject site will connect existing urban development immediately south and west of the site. Development of the contracted land will result in a more contiguous pattern of urban development.

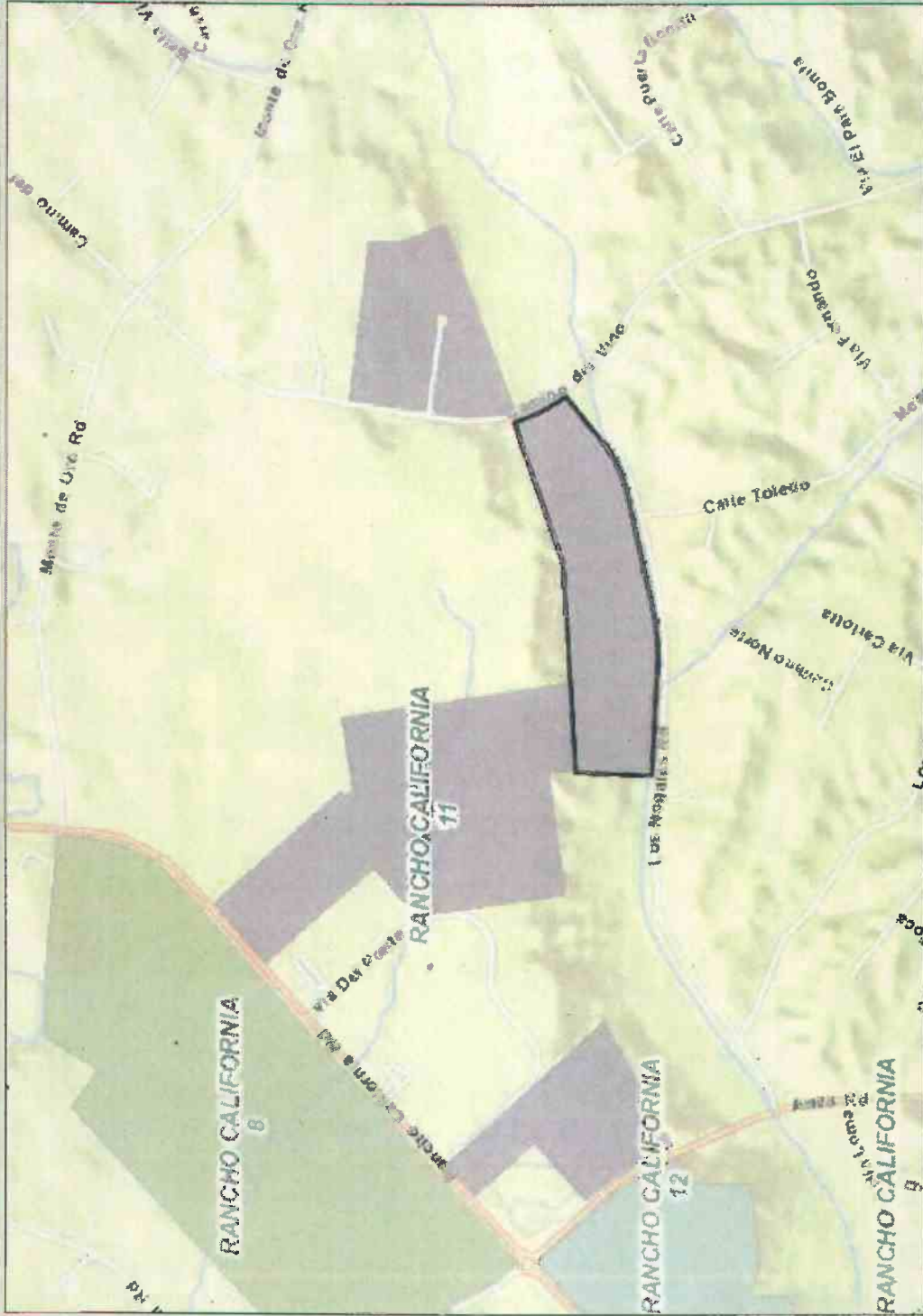
AG No. 1056 – RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 11, MAP NO.

Findings:	Planning	Ag. Commissioner	Cooperative Extension	Natural Resource Conservation District	Assessor
1. The application to delete lands from a preserve is for land on which a notice of nonrenewal has been served.					
2. The application to delete lands from a preserve is not likely to result in the removal of adjacent lands from agricultural uses.					
3. The proposed alternative use is consistent with the applicable provisions of the County general plan.					
4. The cancellation will not result in discontinuous patterns of urban development.					
5. A. There is no proximate non-contracted land which is both available and suitable for the proposed use; or, B. the development of the contracted land would provide more contiguous patterns of urban development than development of proximate non-contracted land.					

Use True (Agree) or False (Do Not Agree) to answer each statement.

AG No. 1056

CAPTAC Vicinity Map & Property Boundary



Legend

Agricultural Preserves

- OTHER AGRICULTURAL PRESEF
- ANZA, 1
- ANZA, 2
- ANZA, 3
- BAUTISTA CANYON, 1
- BAUTISTA CANYON, 2
- BAUTISTA CANYON, 3
- BLYTHE, 10
- BLYTHE, 11
- BLYTHE, 12
- BLYTHE, 13
- BLYTHE, 14
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- BLYTHE, 26
- BLYTHE, 27

Notes
Includes the Agricultural Preserve layer.

IMPORTANT: Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

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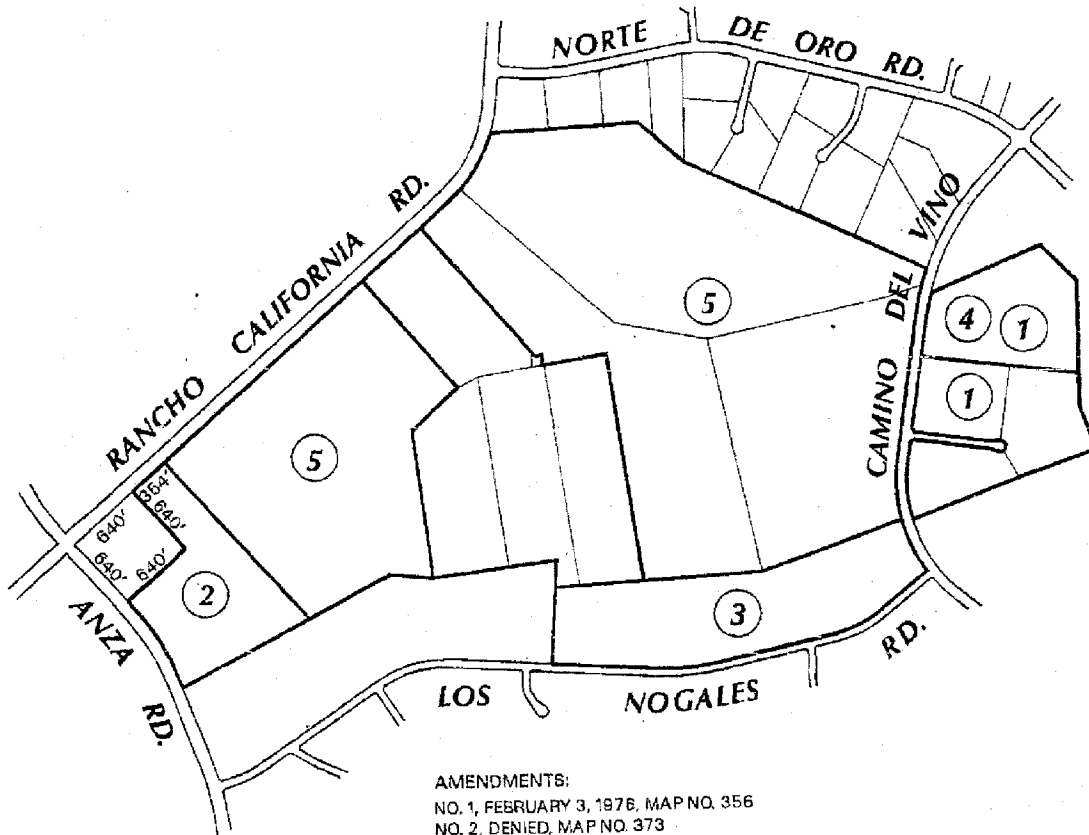
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© Riverside County GIS

MAP NO. 321 RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 11

AMENDED BY MAPS NO. 356, 373, 389, 846, 853B

T.7S., R.2W. S.8.B. & M.
T.7S., R.1W. S.8.B. & M.



AMENDMENTS:

- NO. 1, FEBRUARY 3, 1976, MAP NO. 356
- NO. 2, DENIED, MAP NO. 373
- NO. 3, SEPTEMBER 28, 1976, MAP NO. 389
- NO. 4, (DIMINISHMENT), MARCH 20, 2001, MAP NO. 846
- NO. 5, (DIMINISHMENT), APRIL 23, 2002, MAP NO. 853B

ADOPTED ON FEBRUARY 4, 1975
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA.





Carolyn Syms Luna
Director

RIVERSIDE COUNTY PLANNING DEPARTMENT

APPLICATION FOR DISESTABLISHMENT OR DIMINISHMENT OF AN AGRICULTURAL PRESERVE

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

CASE NUMBER: Tract 36975

DATE SUBMITTED: 1-22-16

APPLICATION INFORMATION

Applicant's Name: Koll Custom Homes

E-Mail: greg@kollcustomhomes.com

Mailing Address: PO BOX 1658

Temecula CA 92593
City State ZIP

Daytime Phone No: (951) 225-1065 Fax No: (951) 225-1064

Engineer/Representative's Name: Love Engineering
Thomas Love E-Mail: Tom@LoveCivil.com

Mailing Address: 31915 Rancho California Rd, Suite 200-166

Temecula CA 92591
City State ZIP

Daytime Phone No: (951) 440-8149 Fax No: (951) 303-6701

Property Owner's Name: Heavenstone Corporation E-Mail: _____

Mailing Address: 17800 Castleton, Suite 300

City of Industry CA 91748
City State ZIP

Daytime Phone No: (626) 581-3335 Fax No: ()

If the property is owned by more than one person, attach a separate page that reference the application case number and lists the names, mailing addresses, and phone numbers of all persons having an interest in the real property or properties involved in this application.

The Planning Department will primarily direct communications regarding this application to the person identified above as the Applicant. The Applicant may be the property owner, representative, or other assigned agent.

Riverside Office · 4080 Lemon Street, 12th Floor
P.O. Box 1409, Riverside, California 92502-1409
(951) 955-3200 · Fax (951) 955-1811

Desert Office · 38686 El Cerrito Road
Palm Desert, California 92211
(760) 863-8277 · Fax (760) 863-7555


APPLICATION FOR DISESTABLISHMENT OR DIMINISHMENT OF AN AGRICULTURAL PRESERVE

AUTHORIZATION FOR CONCURRENT FEE TRANSFER

The signature below authorizes the Planning Department and TLMA to expedite the refund and billing process by transferring monies among concurrent applications to cover processing costs as necessary. Fees collected in excess of the actual cost of providing specific services will be refunded. If additional funds are needed to complete the processing of your application, you will be billed, and processing of the application will cease until the outstanding balance is paid and sufficient funds are available to continue the processing of the application. The applicant understands the deposit fee process as described above, and that there will be NO refund of fees which have been expended as part of the application review or other related activities or services, even if the application is withdrawn or the application is ultimately denied.

Greg Koll

PRINTED NAME OF APPLICANT

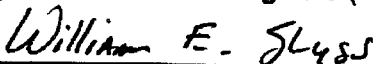


SIGNATURE OF APPLICANT

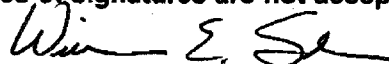
AUTHORITY FOR THIS APPLICATION IS HEREBY GIVEN:

I certify that I am/we are the record owner(s) or authorized agent and that the information filed is true and correct to the best of my knowledge. An authorized agent must submit a letter from the owner(s) indicating authority to sign the application on the owner's behalf.

All signatures must be originals ("wet-signed"). Photocopies of signatures are not acceptable.



PRINTED NAME OF PROPERTY OWNER(S)



SIGNATURE OF PROPERTY OWNER(S)

PRINTED NAME OF PROPERTY OWNER(S)

SIGNATURE OF PROPERTY OWNER(S)

If the subject property is owned by persons who have not signed as owners above, attach a separate sheet that references the application case number and lists the printed names and signatures of all persons having an interest in the property.

PROPERTY INFORMATION:

Assessor's Parcel Number(s): 927-450-002

Section: 25 Township: 7S Range: 2W

Approximate Gross Acreage: 51.5 acres

General location (nearby or cross streets): North of Los Nogales Road, South of _____, East of _____, West of Camino Del Vino

Thomas Brothers map, edition year, page number, and coordinates: 2013, Pg 960, Grids C2 & D2

PROJECT INFORMATION:

Purpose of Request (Check one):

Disestablishment (Termination of entire Agricultural Preserve)

APPLICATION FOR DISESTABLISHMENT OR DIMINISHMENT OF AN AGRICULTURAL PRESERVE

Diminishment (Removal of a portion of the land in an Agricultural Preserve).

Name and Map Number of the affected Agricultural Preserve: Rancho California, 11

Number of Petitions for Cancellation of Contract attached: 1

Has a Notice of Nonrenewal been served on the land involved in this application? Yes No

If yes, state the date(s) of said Notice of Nonrenewal served: _____

Related cases filed in conjunction with this request: _____

ADDITIONAL INSTRUCTIONS:

- A. Attach a Petition for Cancellation of Contract (Form 295-0088) for each separate ownership of land involved in this application. (A husband and wife, partnership, a corporation, a trust, or a joint ownership is considered one owner.)
- B. If the landowner is a successor-in-interest to the owner who executed the Land Conservation Contract with the County of Riverside, the application must be accomplished with proof of ownership, such as a copy of a deed or title insurance policy.
- C. Attach a map of the land affected by this application showing the properties belonging to the separate ownerships.
- D. Enclose the appropriate deposit-based filing fee for each Disestablishment or Diminishment application, and for each Petition of Cancellation of Contract. (Please make checks or money orders payable to the "County of Riverside.")
- E. Please note that payment of an Environmental Assessment deposit-based fee will be required for this application at the time of submittal, and no Land Conservation Contract can be cancelled until all provisions of the California Environmental Quality Act have been satisfied.
- F. Attach all required applications for the proposed alternative land uses for this property, and all applicable deposit-based fees.
- G. For assistance in the preparation of any of these forms, please contact the Planning Department at (951) 955-3200 and ask for the Agricultural Preserve staff. The completed application(s), together with all attachments and fees are to be submitted at any of the Transportation Land Management Agency (TLMA) Public Information offices in Riverside or Palm Desert.



Carolyn Syms Luna
Director

RIVERSIDE COUNTY PLANNING DEPARTMENT

PETITION FOR CANCELLATION OF CONTRACT OF AN AGRICULTURAL PRESERVE

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

CASE NUMBER: Tract 36975 DATE SUBMITTED: 1-22-06

Please complete and attach to Application for Disestablishment or Diminishment (Form 295-0087)

A separate Petition for Cancellation of Contract must be completed for each separate ownership of land to be removed from an agricultural preserve. (A husband and wife, a partnership, a corporation, a trust, or a joint ownership is considered one owner.)

Applicant's Name: Greg Koll E-Mail: greg@kollcustomhomes.com

Mailing Address: PO BOX 1658
Temecula CA 92593
City State ZIP

Daytime Phone No: (951) 225-1065 Fax No: (951) 225-1064

I, the undersigned, the owner or one of the owners authorized to act on behalf of all owners of the land described herein, respectfully petition the Honorable Board of Supervisors of the County of Riverside to withdraw said property from Agricultural Preserve Name Rancho California, Agricultural Preserve No. 11, Map No. _____ and to cancel the Land Conservation Contract or Agreement dated: _____, and recorded _____ as Instrument No. _____ in the office of the County Recorder of Riverside County, California, as it pertains to said property. I declare under penalty of perjury that the information provided by me in this petition is true and complete to the best of my knowledge.

Property Owner's Name: Heavenstone Corporation E-Mail: billsluss73@gmail.com

Mailing Address: 17800 Castleton, Suite 300
City of Industry CA 91748
City State ZIP

Daytime Phone No: (626) 581-3335 Fax No: ()

All signatures must be originals ("wet-signed"). Photocopies of signatures are not acceptable.

William E. Sluss William E. Sluss
PRINTED NAME OF PROPERTY OWNER(S) SIGNATURE OF PROPERTY OWNER(S)

Riverside Office : 4080 Lemon Street, 12th Floor
P.O. Box 1409, Riverside, California 92502-1409
(951) 955-3200 · Fax (951) 955-1811

Desert Office · 38686 El Cerrito Road
Palm Desert, California 92211
(760) 863-8277 · Fax (760) 863-7555

PETITION FOR CANCELLATION OF CONTRACT OF AN AGRICULTURAL PRESERVE

PRINTED NAME OF PROPERTY OWNER(S)

SIGNATURE OF PROPERTY OWNER(S)

If the above owner is authorized to act on behalf of all the owners, attach a copy of that authorization.

**AGRICULTURAL PRESERVE PROGRAM
PETITION FOR CANCELLATION OF CONTRACT**

1. Please list all the names and addresses of all owners as shown on the recorded deed. If the owner is a corporation, please state the type of corporation, place and date of incorporation, and affix corporate seal to this page.
2. If the owner is a partnership, or a corporation, a notarized statement from said partnership or corporation indicating that the petitioner is authorized to act on behalf of the partnership or corporation must be attached to this Petition for Cancellation of Contract.
3. Give Name and address of the mortgage holder for this property.
4. Please give the general location of the property, including the major crossroads.
5. Please attach a complete legal description of this property as shown in the deed or the title insurance policy.
6. Please provide the following information from your property tax bills:

Assessor's Parcel Number(s)	Acreage
927450002-7	48.52 acres
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Attach additional Assessor's Parcel Number(s) on a separate sheet of paper, if necessary.

7. Attach a statement outlining the proposed alternative land use for this property.
8. Attach any written evidence establishing the lack of nearby property, not subject to a Land Conservation Contract, that is both available and suitable for the proposed alternative land use.
9. Attach all Required Property Owner's Notification Information and completed Property Owner's Certification.

AG No. 1062

**AGRICULTURAL PRESERVE
TECHNICAL ADVISORY COMMITTEE REPORT**

Preserve Name & No. San Geronio Pass Agricultural Preserve No. 1 Map No. 161
Applicant's Name: Vohne Liche Kennels West - Kenneth D. Licklider Date Received 3.20.17
Address: 43455 Hilltop Drive, Banning, CA 92220 Supv. Dist. Fifth

1. **Planning Department**

- A. Type of Application: _____ Establish _____ Enlarge
_____ Disestablish X Diminish
- B. Acreage: 10.00 acres
- C. Cities within 1 mile: Banning
- D. Existing Zoning: Light Agriculture - 10 Acre Minimum (A-1-10)
- E. Existing Land Use: Residential, Class I Dog Kennel
- F. General Plan Land Use: Agriculture: Agriculture (AG)
- G. General Location: North of Coyote Trail/Death Valley Road, south of Hill
Top Drive, west of Sunset Avenue, and east of
Turtledove Lane.

2. **Agricultural Commissioner**

- A. Existing agricultural uses or crops, acreage, and average income or crop return per acre for last year (County-wide values):

- B. Number and type of livestock: _____

3. **Cooperative Extension**

- A. Suitable commercial agricultural uses: _____
- B. Availability of irrigation water: _____
- C. Nuisance effects: _____

4. **Natural Resource Conservation Service**

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

B. Comparison of soil acreage (estimated):

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

D. Soils problems: _____

5. **Assessor**

A. Last annual assessed valuation: _____

B. Estimated annual assessed valuation: _____

C. Estimated differential: _____

D. Penalty fee (if applicable): _____

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

537-200-014

6. **County Counsel**

7. **Committee recommendation on application:** _____ Acceptable _____ Not acceptable

Summary and Conclusions:

The Comprehensive Agricultural Preserve Technical Advisory Committee (CAPTAC) evaluated the proposed cancellation of the land conservation contract on the subject site. The purpose of this evaluation was to determine if the proposed cancellation is consistent with the purpose of the Land Conservation Act of 1965. Based on its evaluation, CAPTAC could make the five findings necessary to conclude that the proposed cancellation is consistent with the Land Conservation Act of 1965 (Act). Based on its findings, CAPTAC concluded that the proposed cancellation *is/is not* consistent with the Land Conservation Act of 1965 and, as a result, CAPTAC is recommending that the Riverside County Board of Supervisors **grant/not grant** the

proposed cancellation/diminishment. CAPTAC affirmed _____ of the five findings necessary to conclude that the proposed cancellation is/is not consistent with the Act. Therefore, CAPTAC made the following findings, pursuant to Section 605(4) of Rules and Regulations Governing Agricultural Preserves in Riverside County, as amended (Resolution NO. 84-526):

I. Whether a notice of nonrenewal has been served pursuant to the [Notice of Nonrenewal Section 401 of the [Rules and Regulations Governing Agricultural Preserves in Riverside County, as amended (Resolution NO. 84-526)].

An Application for Notice of Nonrenewal within an Agricultural Preserve was submitted to the Riverside County Planning Department and deemed complete on May 6, 2015. The Notice of Nonrenewal was recorded by the Riverside County Clerk-Recorder on May 18, 2015 as Instrument No. 2015-0206993.

II. Whether the cancellation is likely to result in the removal of adjacent lands from agricultural use.

Based on aerial maps of the vicinity, the project site is only surrounded by three (3) properties - to the north and west - that potentially have agricultural uses. Two (2) properties - to the north and northwest of the project site - appear to have remanences of previous grading and planting related to agriculture; the property directly to the west of the project site appears to have an existing residence and an existing planted crop. Besides the previously mentioned properties, no other property in the vicinity appears to have an agricultural use. Additionally, the use (dog kennel/training) on the property will remain the same, but the intensity of the use will increase (Class I to a Class IV Kennel/training facility). Nevertheless, the limited amount of existing agricultural uses in proximity to the project site and the similarity of the existing and proposed uses yield very little possibility that the cancellation of the land conservation contract will result in the removal of any agricultural use.

III. Whether the proposed alternative use of land is consistent the provisions of the County General Plan.

The proposed alternative use: Class IV Dog Kennel and training facility for up to 80 dogs. The project site is located within the Pass Area Plan (PAP) and has a land use designation of Agriculture, with a zoning classification of Limited Agriculture - 10-acre minimum (A-1-10). The project does not propose to change the land use designation, but, develop in compliance to the policies associated to Agriculture. The property will remain 10 acres and will continue to have only one dwelling unit. Additionally, zoning implements the policies established by the General Plan, and the site's zoning classification permits the proposed alternative use with the approval of a conditional use permit (CUP). Therefore, with the approval of a CUP, the use may be found consistent with the provisions of the County General Plan.

IV. Whether the cancellation will result in discontinuous patterns of urban development.

Currently the site is surrounded by rural residential development and open space, similar to the site. Furthermore, the site is already developed and will only add a few

structures to support the increase intensity of the current use. The site will not be further divided to create a different pattern of development, rather, it will remain 10 acres with a similar use. Therefore, the exiting pattern of development will be maintained and will be contiguous.

- V. **Whether there is proximate noncontracted land which is both available and suitable for use to which it is proposed the contracted land be put, or, whether the development of the contracted land would provide more contiguous patterns of urban development than the development of proximate noncontracted land.**

TBD

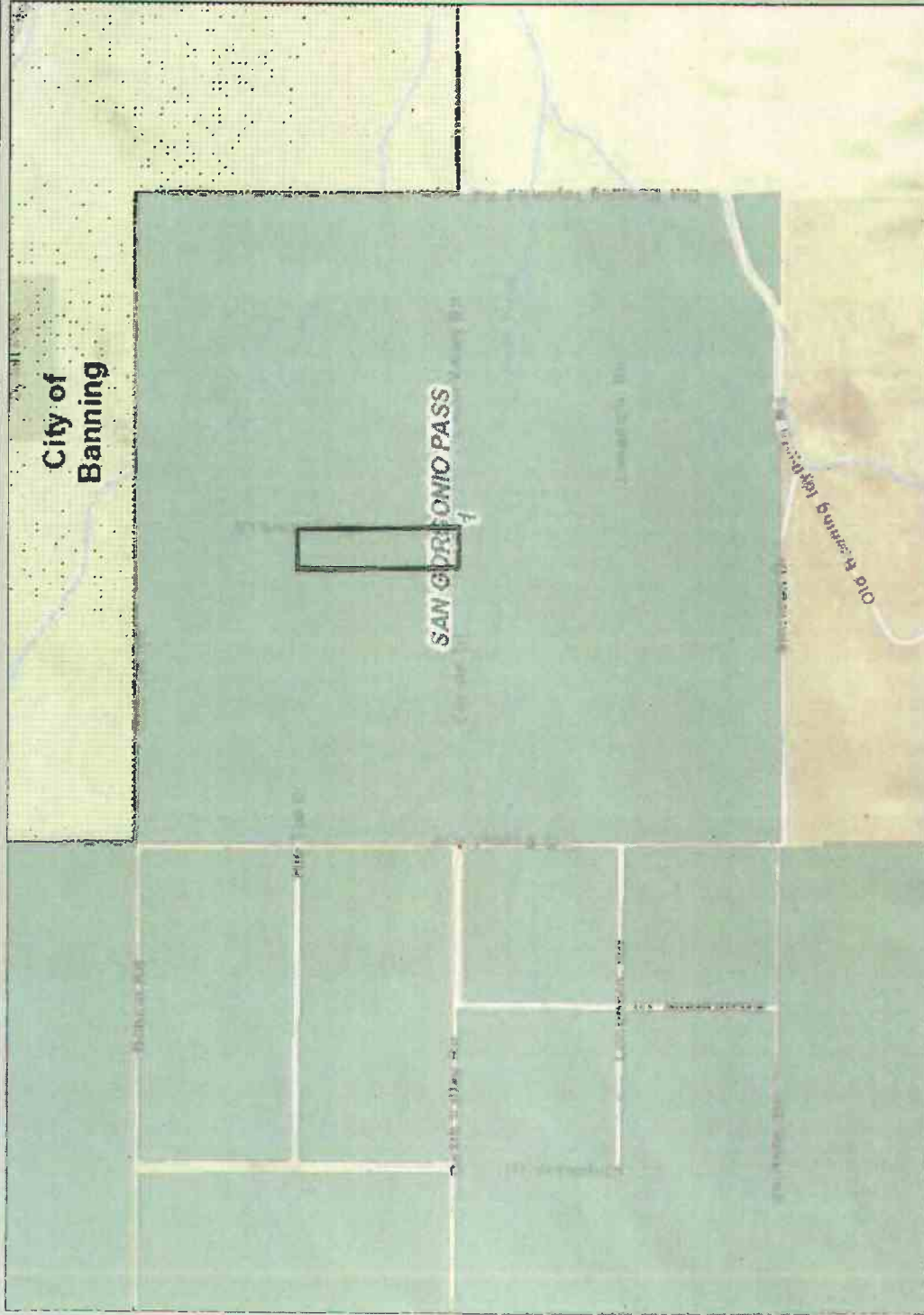
AG No. 1062 – SAN GORGONIO PASS AGRICULTURAL PRESERVE NO. 1, MAP NO. 161

Findings:	Planning	Ag. Commissioner	Cooperative Extension	Natural Resource Conservation District	Assessor
1. The application to delete lands from a preserve is for land on which a notice of nonrenewal has been served.					
2. The application to delete lands from a preserve is not likely to result in the removal of adjacent lands from agricultural uses.					
3. The proposed alternative use is consistent with the applicable provisions of the County general plan.					
4. The cancellation will not result in discontinuous patterns of urban development.					
5. A. There is no proximate non-contracted land which is both available and suitable for the proposed use; or, B. the development of the contracted land would provide more contiguous patterns of urban development than development of proximate non-contracted land.					

Use True (Agree) or False (Do Not Agree) to answer each statement.

AG No. 1062

CAPTAC Vicinity Map & Property Boundary



City of
Banning

SAN GERONIMO PASS

San Geronimo Pass



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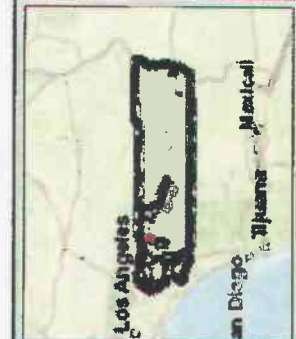
IMPORTANT Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

Notes

Includes the Agricultural Preserve layer.

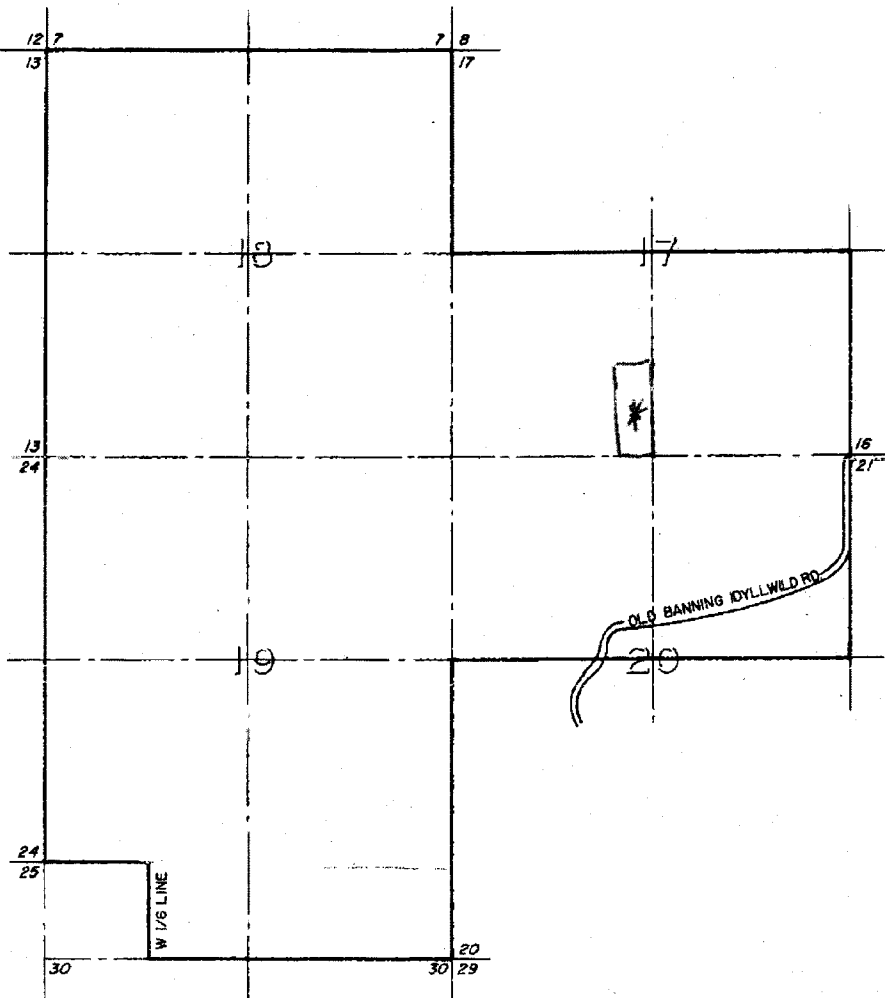
Legend

- Agricultural Preserves**
- OTHER AGRICULTURAL PRESEF
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 - BAUTISTA CANYON, 3
 - BLYTHE, 10
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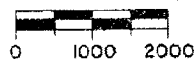


MAP NO 161 SAN GORGONIO PASS AGRICULTURAL PRESERVE NO 1

T. 35 - R. 1E



ADOPTED ON JANUARY 18, 1972
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA



Need not signed signatures



RIVERSIDE COUNTY PLANNING DEPARTMENT

Steve Weiss, AICP
Planning Director

APPLICATION FOR DISESTABLISHMENT OR DIMINISHMENT OF AN AGRICULTURAL PRESERVE

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

APPLICATION INFORMATION

Applicant Name: Vohne Liche Kennels West

Contact Person: Dustin Elleman E-Mail: www.vlkwest.com

Mailing Address: 43455 Hilltop Drive
Banning CA 92220
City State ZIP

Daytime Phone No: (435) 994-0395 Fax No: (765) 985-2595

Engineer/Representative Name: Keefer Consulting

Contact Person: Keith Gardner / Kathleen Browne E-Mail: kbrowne5@msn.com
keefergard@gmail.com

Mailing Address: 6149 Bluffwood Drive
Riverside CA 92506-4605
City State ZIP
(909) 882-4702

Daytime Phone No: (951) 533-2934 Fax No: (951) 682-2876

Property Owner Name: Kenneth D. Licklider

Contact Person: Dustin Elleman E-Mail: www.vlkwest.com

Mailing Address: 43455 Hilltop Drive
Banning CA 92220
City State ZIP

Check this box if additional persons or entities have an ownership interest in the subject property(ies) in addition to that indicated above; and attach a separate sheet that references the property address and/or assessor's parcel number and list those names, mailing addresses, phone and fax numbers, and email addresses; and provide signatures of those persons or entities having an interest in the real property(ies) involved in this application.

Riverside Office · 4080 Lemon Street, 12th Floor
P.O. Box 1409, Riverside, California 92502-1409
(951) 955-3200 · Fax (951) 955-1811

Desert Office · 77-588 El Duna Court, Suite H
Palm Desert, California 92211
(760) 863-8277 · Fax (760) 863-7555

APPLICATION FOR DISESTABLISHMENT OR DIMINISHMENT OF AN AGRICULTURAL PRESERVE

AUTHORIZATION FOR CONCURRENT FEE TRANSFER

The applicant authorizes the Planning Department and TLMA to expedite the refund and billing process by transferring monies among concurrent applications to cover processing costs as necessary. Fees collected in excess of the actual cost of providing specific services will be refunded. If additional funds are needed to complete the processing of this application, the applicant will be billed, and processing of the application will cease until the outstanding balance is paid and sufficient funds are available to continue the processing of the application. The applicant understands the deposit fee process as described above, and that there will be NO refund of fees which have been expended as part of the application review or other related activities or services, even if the application is withdrawn or the application is ultimately denied.

AUTHORITY FOR THIS APPLICATION IS HEREBY GIVEN:

I certify that I am/we are the record owner(s) or authorized agent, and that the information filed is true and correct to the best of my knowledge, and in accordance with Govt. Code Section 65105, acknowledge that in the performance of their functions, planning agency personnel may enter upon any land and make examinations and surveys, provided that the entries, examinations, and surveys do not interfere with the use of the land by those persons lawfully entitled to the possession thereof.

(If an authorized agent signs, the agent must submit a letter signed by the owner(s) indicating authority to sign on the owner(s)'s behalf, and if this application is submitted electronically, the "wet-signed" signatures must be submitted to the Planning Department after submittal but before the subdivision is ready for public hearing.)

Dustin Elleman
PRINTED NAME OF PROPERTY OWNER(S)


SIGNATURE OF PROPERTY OWNER(S)

PRINTED NAME OF PROPERTY OWNER(S)

SIGNATURE OF PROPERTY OWNER(S)

The Planning Department will primarily direct communications regarding this application to the person identified above as the Applicant. The Applicant may be the property owner, representative, or other assigned agent.

PROPERTY INFORMATION:

Assessor's Parcel Number(s): 537-200-014

Approximate Gross Acreage: 10 acres

General location (nearby or cross streets): North of Death Valley Road, South of Hilltop Drive, East of Sunset Avenue, West of Turtle Dove Road.

PROJECT INFORMATION:

Purpose of Request (Check one):

Disestablishment (Termination of entire Agricultural Preserve)

APPLICATION FOR DISESTABLISHMENT OR DIMINISHMENT OF AN AGRICULTURAL PRESERVE

Diminishment (Removal of a portion of the land in an Agricultural Preserve).

Name and Map Number of the affected Agricultural Preserve: San Geronio Pass No. 1, Map No. 161

Number of Petitions for Cancellation of Contract attached: 1

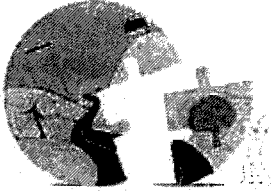
Has a Notice of Nonrenewal been served on the land involved in this application? Yes No

If yes, state the date(s) of said Notice of Nonrenewal served: Filed 5-6-15; Recorded 5-18-15

Related cases filed in conjunction with this request: CUP No. 03771

This completed application form, together with all of the listed requirements provided on the Agricultural Preserve Disestablishment/Diminishment Application Filing Instructions Handout, are required in order to file an application with the County of Riverside Planning Department.

Y:\Current Planning\LMS Replacement\Condensed P.D. Application Forms\295-0087 AP Disestablish-Diminish Condensed Application.docx
Created: 07/07/2015 Revised: 05/18/2016



RIVERSIDE COUNTY PLANNING DEPARTMENT

Steve Weiss, AICP
Planning Director

PETITION FOR CANCELLATION OF LAND CONSERVATION CONTRACT IN AN AGRICULTURAL PRESERVE

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Please complete and attach to Application for Disestablishment or Diminishment (Form 295-0087)

A separate Petition for Cancellation of Contract must be completed for each separate ownership of land to be removed from an agricultural preserve. (A husband and wife, a partnership, a corporation, a trust, or a joint ownership is considered one owner.)

Applicant Name: Vohne Liche Kennels West

Contact Person: Dustin Elleman E-Mail: www.vlkwest.com

Mailing Address: 43455 Hilltop Drive
Banning ^{Street} CA 92220
_{City} _{State} _{ZIP}

Daytime Phone No: (435) 994-0395 Fax No: (765) 985-2595

I, the undersigned, the owner or one of the owners authorized to act on behalf of all owners of the land described herein, respectfully petition the Honorable Board of Supervisors of the County of Riverside to withdraw said property from Agricultural Preserve Name San Gabriel P., Agricultural Preserve No. 1, Map No. 161 and to cancel the Land Conservation Contract or Agreement dated: 1-18-72, and recorded 2-29-72 as Instrument No. 26466 in the office of the County Recorder of Riverside County, California, as it pertains to said property. I declare under penalty of perjury that the information provided by me in this petition is true and complete to the best of my knowledge.

Property Owner Name: Kenneth D. Licklider

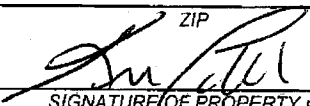
Contact Person: Dustin Elleman E-Mail: Dustin@VohneLiche.com

Mailing Address: 43455 Hilltop Drive
_{Street}

Riverside Office · 4080 Lemon Street, 12th Floor
P.O. Box 1409, Riverside, California 92502-1409
(951) 955-3200 · Fax (951) 955-1811

Desert Office · 77-588 El Duna Court, Suite H
Palm Desert, California 92211
(760) 863-8277 · Fax (760) 863-7555

PETITION FOR CANCELLATION OF LAND CONSERVATION CONTRACT IN AN AGRICULTURAL PRESERVE

Banning <small>City</small>	CA <small>State</small>	92220 <small>ZIP</small>
Kenneth D. Lickliger <small>PRINTED NAME OF PROPERTY OWNER(S)</small>	 <small>SIGNATURE OF PROPERTY OWNER(S)</small>	
N/A <small>PRINTED NAME OF PROPERTY OWNER(S)</small>	N/A <small>SIGNATURE OF PROPERTY OWNER(S)</small>	

Check this box if additional persons or entities have an ownership interest in the subject property(ies) in addition to that indicated above; and attach a separate sheet that references the property address and/or assessor's parcel number and list those names, mailing addresses, phone and fax numbers, and email addresses; and provide signatures of those persons or entities having an interest in the real property(ies) involved in this application.

**AGRICULTURAL PRESERVE PROGRAM
PETITION FOR CANCELLATION OF CONTRACT**

1. List all the names and addresses of all owners as shown on the recorded deed. If the owner is a corporation, please state the type of corporation, place and date of incorporation, and affix corporate seal to this page.
2. If the owner is a partnership, or a corporation, a notarized statement from said partnership or corporation indicating that the petitioner is authorized to act on behalf of the partnership or corporation must be attached to this Petition for Cancellation of Contract.
3. Give Name and address of the mortgage holder for this property, if any.
4. Give the general location of the property, including the major crossroads.
5. Attach a complete legal description of this property as shown in the deed or the title insurance policy.
6. Provide the following information from your property tax bills:

Assessor's Parcel Number(s)	Acreage
537-200-014	10 acres

Check this box and attach additional Assessor's Parcel Number(s) on a separate sheet of paper, if necessary.

PETITION FOR CANCELLATION OF LAND CONSERVATION CONTRACT IN AN AGRICULTURAL PRESERVE

7. Attach a statement outlining the proposed alternative land use for this property.
8. Attach any written evidence establishing the lack of nearby property, not subject to a Land Conservation Contract, that is both available and suitable for the proposed alternative land use.
9. Attach all Required Property Owner's Notification Information and completed Property Owner's Certification.

Y:\Current Planning\LMS Replacement\Condensed P.D. Application Forms\295-0088 AP Petition for Land Conservation Contract Cancellation.docx
Created: 07/08/2015 Revised: 05/18/2016

AG No. 1070

**AGRICULTURAL PRESERVE
TECHNICAL ADVISORY COMMITTEE REPORT**

Preserve Name & No.: Rancho California Agricultural Preserve No. 22 Map No. 365
Applicant's Name: Akash Patel Date Received: 6.19.17
Address: 31700 Abruzzo Street, Temecula, CA 92591 Supv. Dist.: Third

1. **Planning Department**

- A. Type of Application: _____ Establish _____ Enlarge
_____ Disestablish X Diminish
- B. Acreage: 2.724 acres (total site acres: 19.43 gross)
- C. Cities within 1 mile: Temecula
- D. Existing Zoning: Wine Country - Winery (WC-W)
- E. Existing Land Use: Agriculture
- F. General Plan Land Use: Agriculture: Agriculture (AG)
- G. General Location: North of Rancho California Road, south of Vista del
Monte/Vino Way, west of Anza Road, and east of Calle
Contento.

2. **Agricultural Commissioner**

- A. Existing agricultural uses or crops, acreage, and average income or crop return per acre for last year (County-wide values):

- B. Number and type of livestock: _____

3. **Cooperative Extension**

- A. Suitable commercial agricultural uses: _____
- B. Availability of irrigation water: _____
- C. Nuisance effects: _____

4. **Natural Resource Conservation Service**

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

B. Comparison of soil acreage (estimated):

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

D. Soils problems: _____

5. **Assessor**

A. Last annual assessed valuation: _____

B. Estimated annual assessed valuation: _____

C. Estimated differential: _____

D. Penalty fee (if applicable): _____

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

943-210-012

6. **County Counsel**

7. **Committee recommendation on application:** _____ Acceptable _____ Not acceptable

Summary and Conclusions:

The Comprehensive Agricultural Preserve Technical Advisory Committee (CAPTAC) evaluated the proposed cancellation of the land conservation contract on the subject site. The purpose of this evaluation was to determine if the proposed cancellation is consistent with the purpose of the Land Conservation Act of 1965. Based on its evaluation, CAPTAC could make the five findings necessary to conclude that the proposed cancellation is consistent with the Land Conservation Act of 1965 (Act). Based on its findings, CAPTAC concluded that the proposed cancellation is/is not consistent with the Land Conservation Act of 1965 and, as a result, CAPTAC is recommending that the Riverside County Board of Supervisors grant/not grant the

proposed cancellation/diminishment. CAPTAC affirmed _____ of the five findings necessary to conclude that the proposed cancellation is/is not consistent with the Act. Therefore, CAPTAC made the following findings, pursuant to Section 605(4) of Rules and Regulations Governing Agricultural Preserves in Riverside County, as amended (Resolution NO. 84-526):

I. Whether a notice of nonrenewal has been served pursuant to the [Notice of Nonrenewal] Section 401 of the [Rules and Regulations Governing Agricultural Preserves in Riverside County, as amended (Resolution NO. 84-526)].

An Application for Notice of Nonrenewal within an Agricultural Preserve was submitted to the Riverside County Planning Department and deemed complete on September 2, 20003. The Notice of Nonrenewal was recorded by the Riverside County Clerk-Recorder on September 19, 2003 as Instrument No. **2003-730895**.

II. Whether the cancellation is likely to result in the removal of adjacent lands from agricultural use.

This diminishment (AG No. 1070) is proposing to delete approximately 2.724 acres of 19.43 acre project site, which is about 14% of the project site's area and about 2% of the Rancho California Agricultural Preserve No. 22's total area (111.33 gross acres). The balance of the project site will remain in agricultural preserve, under a land conservation contract if AGN No. 192 is approved; AGN No. 192 is a request to enter into a land conservation contract for the project site. Additionally, the proposed alternative use (winery) on the diminished area will encourage and necessitate agricultural uses (vineyards) on the site and in close proximity, and the project site is located within the Temecula Valley Wine Country Policy Area - Winery District (Winery District), which promotes the winery industry and tourism while maintaining the areas agricultural and rural nature. Therefore, the diminishment of a portion of the project site will not likely result in the removal of any agricultural use given the nature of the request and the area.

III. Whether the proposed alternative use of land is consistent the provisions of the County General Plan.

The proposed alternative use: Class IV Winery, including wine production and tasting, a winery hotel, and recreational areas; the use will not include a restaurant or a special occasion (weddings or outdoor events) facility. The project site is located within the Southwest Area Plan (SWAP), within the Temecula Valley Wine Country Policy Area (Policy Area), with a land use designation of Agriculture and zoning classification of Wine Country - Winery (WC-W). The project must develop in compliance to the Policy Area and zoning classification. Additionally, the proposed winery is permitted under the WC-W zone with an approved entitlement, therefore, making it consistent with the policies for the Winery District. Therefore, with an approved entitlement, the proposed use may be found consistent with the provisions of the County General Plan.

IV. Whether the cancellation will result in discontinuous patterns of urban development.

The project site is within the Winery District, which promotes wineries. In fact, there are approximately 50 entitlements for wineries in this district, and the project is surrounded by several approved wineries (built) to the west, east, and south. Furthermore, the project site's northern boundary serves as a terminus point of the Winery District, which means that the development pattern will end after the project site, as rural residential development continues after that point to the north. Therefore, the exiting pattern of development will be maintained and will be contiguous.

- V. **Whether there is proximate noncontracted land which is both available and suitable for use to which it is proposed the contracted land be put, or, whether the development of the contracted land would provide more contiguous patterns of urban development than the development of proximate noncontracted land.**

TBD

AG No. 1070 – RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 22, MAP NO. 365

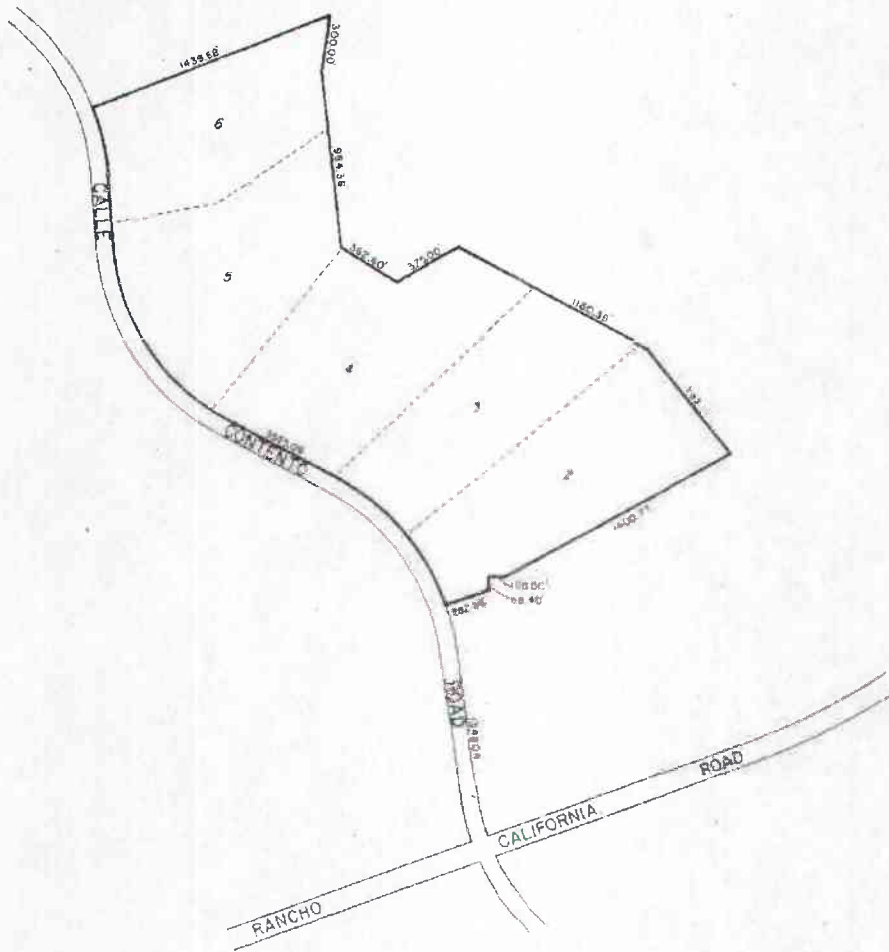
Findings:	Planning	Ag. Commissioner	Cooperative Extension	Natural Resource Conservation District	Assessor
1. The application to delete lands from a preserve is for land on which a notice of nonrenewal has been served.					
2. The application to delete lands from a preserve is not likely to result in the removal of adjacent lands from agricultural uses.					
3. The proposed alternative use is consistent with the applicable provisions of the County general plan.					
4. The cancellation will not result in discontinuous patterns of urban development.					
5. A. There is no proximate non-contracted land which is both available and suitable for the proposed use; or, B. the development of the contracted land would provide more contiguous patterns of urban development than developed of proximate non-contracted land.					

Use True (Agree) or False (Do Not Agree) to answer each statement.

MAP NO. 365 RANCHO CALIFORNIA AGRICULTURAL PRESERVE

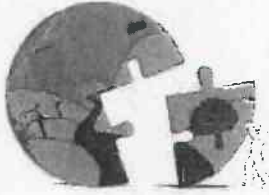
NO. 22

PAUBA RANCHO
POR P.M. 14/93-95



ADOPTED ON FEBRUARY 10, 1976
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA





Steve Weiss, AICP
Planning Director

AC101070

RIVERSIDE COUNTY PLANNING DEPARTMENT

APPLICATION FOR DISESTABLISHMENT OR DIMINISHMENT OF AN AGRICULTURAL PRESERVE

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

APPLICATION INFORMATION

Applicant Name: AKASH PATIL

Contact Person: AKASH PATIL

E-Mail: AKASH@AKASHVILLY.COM

Mailing Address: 31700 Alameda St

Temecula CA 92591
City State ZIP

Daytime Phone No: (951) 304-8846

Fax No: ()

Engineer/Representative Name: MAJESTIC DESIGN

Contact Person: BEZA JAMES

E-Mail: majesticdesign3d@gmail.com

Mailing Address: P.O. Box 223

TEMECULA CA 92593
City State ZIP

Daytime Phone No: (951) 595-3839

Fax No: ()

Property Owner Name: AKASH PATIL

Contact Person: AKASH PATIL

E-Mail: AKASH@AKASHVILLY.COM

Mailing Address: 31700 Alameda St

Temecula CA 92591
City State ZIP

Check this box if additional persons or entities have an ownership interest in the subject property(ies) in addition to that indicated above; and attach a separate sheet that references the property address and/or assessor's parcel number and list those names, mailing addresses, phone and fax numbers, and email addresses; and provide signatures of those persons or entities having an interest in the real property(ies) involved in this application.

Riverside Office · 4080 Lemon Street, 12th Floor
P.O. Box 1409, Riverside, California 92502-1409
(951) 955-3200 · Fax (951) 955-1811

Desert Office · 77-588 El Duna Court, Suite H
Palm Desert, California 92211
(760) 863-8277 · Fax (760) 863-7555

APPLICATION FOR DISESTABLISHMENT OR DIMINISHMENT OF AN AGRICULTURAL PRESERVE

AUTHORIZATION FOR CONCURRENT FEE TRANSFER

The applicant authorizes the Planning Department and TLMA to expedite the refund and billing process by transferring monies among concurrent applications to cover processing costs as necessary. Fees collected in excess of the actual cost of providing specific services will be refunded. If additional funds are needed to complete the processing of this application, the applicant will be billed, and processing of the application will cease until the outstanding balance is paid and sufficient funds are available to continue the processing of the application. The applicant understands the deposit fee process as described above, and that there will be NO refund of fees which have been expended as part of the application review or other related activities or services, even if the application is withdrawn or the application is ultimately denied.

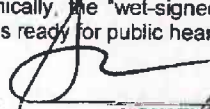
AUTHORITY FOR THIS APPLICATION IS HEREBY GIVEN:

I certify that I am/we are the record owner(s) or authorized agent, and that the information filed is true and correct to the best of my knowledge, and in accordance with Govt. Code Section 65105, acknowledge that in the performance of their functions, planning agency personnel may enter upon any land and make examinations and surveys, provided that the entries, examinations, and surveys do not interfere with the use of the land by those persons lawfully entitled to the possession thereof.

(If an authorized agent signs, the agent must submit a letter signed by the owner(s) indicating authority to sign on the owner(s)'s behalf, and if this application is submitted electronically, the "wet-signed" signatures must be submitted to the Planning Department after submittal but before the subdivision is ready for public hearing.)

AKASH PATIL

PRINTED NAME OF PROPERTY OWNER(S)



SIGNATURE OF PROPERTY OWNER(S)

HARSHADRAJ PATEL

PRINTED NAME OF PROPERTY OWNER(S)



SIGNATURE OF PROPERTY OWNER(S)

NAKUL PATIL

The Planning Department will primarily direct communications regarding this application to the person identified above as the Applicant. The Applicant may be the property owner, representative, or other assigned agent.

PROPERTY INFORMATION:

Assessor's Parcel Number(s): ~~975-11-00223~~ 943-210-012

Approximate Gross Acreage: 20

General location (nearby or cross streets): North of CALLE CONTENTO, South of _____, East of Rancho calf, West of _____

PROJECT INFORMATION:

Purpose of Request (Check one):

Disestablishment (Termination of entire Agricultural Preserve)

APPLICATION FOR DISESTABLISHMENT OR DIMINISHMENT OF AN AGRICULTURAL PRESERVE

Diminishment (Removal of a portion of the land in an Agricultural Preserve).

Name and Map Number of the affected Agricultural Preserve: P.C. #22, Map 765

Number of Petitions for Cancellation of Contract attached: 0

Has a Notice of Nonrenewal been served on the land involved in this application? Yes No

If yes, state the date(s) of said Notice of Nonrenewal served: 9-19-2003

Related cases filed in conjunction with this request: EP # 7625, EA N54300, AGN # 192

This completed application form, together with all of the listed requirements provided on the Agricultural Preserve Disestablishment/Diminishment Application Filing Instructions Handout, are required in order to file an application with the County of Riverside Planning Department.

Y:\Current Planning\LMS Replacement\Condensed P.D. Application Forms\295-0087 AP Disestablish-Diminish Condensed Application.docx
Created: 07/07/2015 Revised: 05/18/2016

EXHIBIT A
RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 11
MAP NO. 1056

The following described Real Property of Riverside County, State of California, described as follows:

Description

All of Rancho California Agricultural Preserve No. 11, Map No. 1056, as shown in Exhibit "A" of instrument No. 2014-0438157, dated November 17, 2014, described as Parcel G-3, in the County of Riverside, State of California, as per map filed in Book 50 Pages 68-75, inclusive of Record of Surveys, in the Office of the County Recorder of said County, and further described as:

Beginning at the intersection of Los Nogales Road and Camino Del Vino;

Thence northerly along said centerline of Camino Del Vino for a distance of 499.17 feet;

Thence South 71°06'38" West for a distance of 1274.27 feet;

Thence South 87°01'35" West for a distance of 1715.40 feet;

Thence South 3°25'02" West for a distance of 681.80 feet to the centerline of Los Nogales Road;

Thence easterly along said centerline of Los Nogales Road to **THE POINT OF BEGINNING**.

Assessor Parcel No.	Acres (net)	Owner
927-450-002	48.81 (51.54 gross acres)	Heavenstone Corporation



**PLANNING COMMISSION
MINUTE ORDER
APRIL 4, 2018**

I. AGENDA ITEM 3.1

GENERAL PLAN AMENDMENT NO. 1202/CHANGE OF ZONE NO. 7885/TENTATIVE TRACT MAP NO. 37254 – Intent to Adopt a Mitigated Negative Declaration – EA42839 – Applicant: Koll Custom Homes, Inc. c/o Greg Koll – Engineer/Representative: Love Engineering, Tom Love – Third Supervisorial District – Rancho California Zoning Area – Southwest Area Plan: Agricultural: Agricultural (AG-AG) (10 acre minimum) – Location: Northerly of Los Nogales Road and westerly of Camino Del Vino – 51.5 Acres – Zoning: Citrus/Vineyard (C/V-10).

II. PROJECT DESCRIPTION:

General Plan Amendment No. 1202 proposes to amend the General Plan Policy Area from the Temecula Valley Wine Policy Area – Winery District to the Temecula Valley Wine Country Policy Area – Residential District. **Change of Zone No. 7885** proposes to amend the zoning classification for the subject property from Citrus/Vineyard, 10-acre minimum lot size (C/V-10) to Wine Country – Residential (WC-R) – **Tentative Tract Map No. 37254** a Schedule “D” subdivision proposes to subdivide approximately 51.5 acres into eight (8) single-family residential lots. The lots range in size from 6 to 8.5 gross acres. Continued from March 21, 2018.

III. MEETING SUMMARY:

The following staff presented the subject proposal:

Project Planner: Deborah Bradford at (951) 955-6646 or email at dbradfor@rivco.org.

Spoke in favor:

Greg Koll, Applicant

Bill Koll, Applicant’s Representative, 28780 Old Town Front Street, Temecula- donated time, did not speak

Ben Drake, Interested Party, 45650 Bowery Lane, Temecula, 92590

Tom Love, Interested Party- did not speak

Willy Ventura, Interested Party- did not speak, donated time

Spoke in a neutral position:

Donald Trotter, Neighbor, 40800 Calle Toledo, Temecula, 92592

Spoke in opposition:

Carissa Emilo, Interested Party

Sophia Huston, Interested Party

Larry Smalley, Neighbor, 35725 Los Nogales Road, Temecula

Jeannie Lynch, Neighbor, 35510 Schuber Lane, Temecula, 92592- did not speak, donated time

Frederick Lynch, Neighbor, 35510 Schuber Lane, Temecula, 92592- did not speak, donated time

IV. CONTROVERSIAL ISSUES:

None.

V. PLANNING COMMISSION ACTION:

Public Comments: Closed

Motion by Commissioner Taylor-Berger, 2nd by Commissioner Shaffer

A vote of 5-0

ADOPTED Planning Commission Resolution No. 2018-001; and

The Planning Commission Recommend the Following Actions to the Board of Supervisors:

ADOPT a Mitigated Negative Declaration for Environmental Assessment No. 42839; and

TENTATIVELY APPROVE General Plan Amendment No. 1202; and

TENTATIVELY APPROVE Change of Zone No. 7885; and

APPROVE Tentative Tract Map No. 37254, subject to conditions of approval as modified at hearing.



**COUNTY OF RIVERSIDE
PLANNING DEPARTMENT
STAFF REPORT**

Agenda Item No.

3.1

Planning Commission Hearing: April 4, 2018

PROPOSED PROJECT

Case Number(s):	GPA1202, CZ7885, and TR37254	Applicant: Koll Custom Homes, Inc
EA No.:	42839	c/o Greg Koll
Area Plan:	Southwest	Engineer: Love Engineering -
Zoning Area/District:	Rancho California Area	Tom Love
Supervisory District:	Third District	
Project Planner:	Deborah Bradford	
Project APN(s):	927-450-002	


Charissa Leach, P.E.
Assistant TLMA Director

PROJECT DESCRIPTION AND LOCATION

GENERAL PLAN AMENDMENT NO. 1202 (Foundation Amendment) –The applicant is proposing to amend the boundaries of the Wine Country – Winery District and the Wine Country – Residential District within the Temecula Valley Wine Country Policy Area by removing the subject property consisting of 51.54 gross acres from the Wine Country – Winery District and placing it within the Wine Country – Residential District. General Plan Amendment No. 1202 (GPA No. 1202) will amend Figure 4B of the Southwest Area Plan to show the revised boundaries of these two Wine Country Districts.

CHANGE OF ZONE NO. 7885 – The applicant proposes to amend the zoning classification for the subject property from Citrus/Vineyard, 10-acre minimum lot size (C/V Zone -10) to Wine Country – Residential (WC-R Zone).

TENTATIVE TRACT MAP NO. 37254 – The applicant is proposing a Schedule D subdivision to divide a 51.54 gross acre lot into 8 single-family residential lots. The lots range in size from 6 to 8.5 gross acres.

The Project site is located north of Los Nogales Road, south of Monte de Oro Road, west of Camino Del Vino, and east of Anza Road within the Southwest Area Plan. The site is comprised of 51.54 gross acres.

PROJECT RECOMMENDATION

STAFF RECOMMENDATIONS:

THAT THE PLANNING COMMISSION:

ADOPT PLANNING COMMISSION RESOLUTION NO. 2018-001 recommending adoption of General Plan Amendment No. 1202 as shown on revised Figure 4B to the Board of Supervisors; and,

THAT THE PLANNING COMMISSION RECOMMENDS THAT THE BOARD OF SUPERVISORS TAKE THE FOLLOWING ACTIONS:

ADOPT a **MITIGATED NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 42839**, based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect with the incorporation of mitigation measures on the environment; and,

TENTATIVELY APPROVE **GENERAL PLAN AMENDMENT NO. 1202**, modifying the boundary of the Wine Country – Winery District and the Wine Country – Residential District within the Temecula Valley Wine Country Policy Area as shown on the revised Figure 4B of the Southwest Area Plan, attached hereto, based on the findings and conclusions incorporated in the staff report, pending adoption of the General Plan Amendment resolution by the Board of Supervisors; and,

TENTATIVELY APPROVE **CHANGE OF ZONE NO. 7885** amending the zoning classification for the subject property from Citrus/Vineyard, 10-acre minimum lot size (C/V Zone-10) to Wine Country – Residential (WC-R Zone) in accordance with Exhibit #3, based upon the findings and conclusions incorporated in the staff report, pending adoption of the zoning ordinance by the Board of Supervisors; and,

APPROVE **TENTATIVE TRACT MAP NO. 37254**, subject to the attached advisory notification document and conditions of approval, and based upon the findings and conclusions incorporated into the staff report, and subject to the Board of Supervisors' subsequent adoption of the resolution for GPA No. 1202 and the subsequent adoption of the zoning ordinance for Change of Zone No. 7885.

PROJECT DATA

Land Use and Zoning:

Existing Foundation General Plan Land Use:	Agricultural (AG)
Proposed Foundation General Plan Land Use:	N/A
Existing General Plan Land Use:	Agricultural (AG)
Proposed General Plan Land Use:	N/A
Policy / Overlay Area:	Temecula Valley Wine Country Policy Area
Surrounding General Plan Land Uses	
North:	Agricultural (AG)
East:	Agricultural (AG)
South:	Agricultural (AG)
West:	Agricultural (AG)
Existing Zoning Classification:	Citrus/Vineyard, 10-acre minimum lot size (C/V Zone-10)
Proposed Zoning Classification:	Wine Country – Residential, 5-acre minimum lot size (WC-R Zone)
Surrounding Zoning Classifications	
North:	Wine Country – Winery (WC-W Zone) and Citrus/Vineyard (C/V Zone)
East:	Citrus/Vineyard (C/V 10 Zone) and (C/V-20 Zone)

South:	Residential Agricultural, 5-acre minimum lot size (R-A-5 Zone)
West:	Citrus/Vineyard (C/V Zone)
Existing Use:	Vacant land
Surrounding Uses	
North:	Vacant land
South:	Vacant land and scattered residential development
East:	Vacant land and scattered residential development
West:	Vacant land and scattered residential development

Project Site Details:

<i>Item</i>	<i>Value</i>	<i>Min./Max. Standard</i>
Project Site (Acres):	51.54 gross acres	
Proposed Minimum Lot Size:	6 acres gross	5 acre minimum
Total Proposed Number of Lots:	8 lots	10 lots
Map Schedule:	D	

Located Within:

City's Sphere of Influence:	No
Community Service Area ("CSA"):	Within the Wine Country #149 County Service Area.
Recreation and Parks District:	No
Special Flood Hazard Zone:	Located in Special Flood Hazard Area.
Area Drainage Plan:	No
Dam Inundation Area:	No
Agricultural Preserve	Yes - Within the Rancho California Agricultural Preserve #11.
Liquefaction Area:	Yes - Located within Moderate Liquefaction Area
Fault Zone:	No
High Fire Zone:	Yes- Located in High/Moderate Fire Hazard Area and is in an SRA
WRCMSHCP Criteria Cell:	No
CVMSHCP Conservation Boundary:	No
Airport Influence Area ("AIA"):	No

PROJECT LOCATION MAP



Figure 1: Project Location Map for GPA1202, CZ7885 and TR37254

PROJECT BACKGROUND AND ANALYSIS

Background:

The proposed Project was scheduled for the February 21, 2018 Planning Commission meeting; however due to late comments received on the Initial Study/Negative Declaration the meeting was continued to the March 21, 2018 Planning Commission meeting. Because staff revised the environmental document from a Negative Declaration to a Mitigated Negative Declaration which included noticing of State Agencies, the review period increased from 20 days to 30 days. The review period was not completed at the March 21, 2018 meeting; therefore, the meeting was continued to the April 4, 2018 Planning Commission meeting.

General Plan Initiation Proceedings (GPIP)

An application was submitted on July 5, 2016 during the 2016 General Plan Review Cycle application period. The Riverside County Board of Supervisors adopted the order initiating proceedings for General Plan Amendment No. 1202 on January 31, 2017. The GPIP report package is included with this report.

Temecula Valley Wine Country Policy Area.

The project site is located within the Southwest Area Plan's Temecula Valley Wine Country Policy Area, which was created by the adoption of the Wine Country Community Plan (Plan) in 2014. The Plan's objectives included preserving and enhancing the area's viticulture potential, rural lifestyle and equestrian activities as well as coordinating growth to avoid future land use conflicts.

Agricultural Preserve No. 1056 (Diminishment/Cancellation)/Agricultural Preserve Notice NO. 173 (NONR) Agricultural Preserve (AG) No. 1056 proposes to delete (diminish) 51.54 gross acres from Rancho California Agricultural Preserve No. 11 and cancel the land conservation contract executed for Rancho California No. 11, Amendment #3, Map No. 389. The applicant also filed an application for a notice of nonrenewal (NONR) for the above mentioned land conservation contract. These cases were reviewed by the Comprehensive Agricultural Preserve Technical Advisory Committee (CAPTAC) on January 17, 2018, and CAPTAC found the request acceptable and recommended that the Board of Supervisors approve AG No. 1056.

AG No. 1056 does not require a recommendation from the Planning Commission (PC) prior to receiving tentative approval by the Board of Supervisors (Board); however, GPA No. 1202, CZ No. 7885, and TR No. 37254 do require a PC recommendation. After receiving a recommendation from the PC, GPA No. 1202, CZ No. 7885, and TR No. 37254 will be joined by AG No. 1056 at a public hearing before the Board requesting tentative approval of all cases. However, final adoption of the GPA and CZ and recordation of the TR cannot occur until the diminishment is finalized and the land conservation contract is cancelled.

SB 18 Tribal Consultation

Pursuant to SB 18 requirements, Riverside County staff previously requested a list from the Native American Heritage Commission ("NAHC") of tribes whose historical extent includes the project site. On March 6, 2017 consultation request notices were sent to each of the Native American Tribes noted on the list. Noticed tribes have 90 days in which to request consultation regarding the proposed project. No consultation requests were received by June 4, 2017 the end of the 90 day noticing period.

AB 52 Tribal Consultation

In compliance with Assembly Bill 52 (AB52), notices regarding this project were mailed to all requesting tribes on February 22, 2017. The Pala Band of Mission Indians requested consultation. Exhibits were provided to them on April 21, 2017. Pala concluded their consultation and stated they had no concerns. The six other noticed tribes did not request consultation. Condition of approval 60. PLANNING 24 requires that prior to any ground disturbing activity a Native American Monitor be retained on site to ensure the protection of tribal resources should any be encountered.

ENVIRONMENTAL REVIEW AND ENVIRONMENTAL FINDINGS:

An Initial Study (IS) and a Mitigated Negative Declaration (MND) has been prepared for this project in accordance with the California Environmental Quality Act (CEQA). Environmental Assessment No. 42839 identified potentially significant impacts in regards to Biology, Hydrology/Water Quality, Noise and Paleontology; however, with the incorporation of mitigation measures these impacts were reduced to less than significant. The IS and MND represent the independent judgement of Riverside County. The documents were circulated for public review in accordance with State CEQA Guidelines Section 15105.

FINDINGS AND CONCLUSIONS

In order for the County to approve the proposed project, the following findings are required to be made:

General Plan Foundation Amendment Foundation Component Findings:

SWAP 1.1, requires that boundary changes to the Temecula Valley Wine Country Policy Area be subject to the Foundation Component Amendment Process unless the amendment was County Initiated. Because the amendment was initiated by the applicant the following findings as provided in Ordinance No. 348 are required:

1. The Foundation change is based on substantial evidence that new conditions or circumstances disclosed during the review process justify modifying the General Plan, that the modifications do not conflict with the overall Riverside County Vision, and that they would not create an internal inconsistency among the elements of the General Plan.

a. New Circumstance – The Wine Country Community Plan's objectives include preserving and enhancing the area's viticulture potential, rural lifestyle and equestrian activities as well as coordinating growth to avoid future land use conflicts. In regards to the new circumstance component, the project site is located west of Camino Del Vino which was designated as a General Plan Circulation Element Secondary Highway in 2003. A secondary highway has a minimum right-of-way width of 100 feet and 4 lanes and are intended to serve through traffic along longer routes between major traffic generating areas. In 2014 as part of the Wine Country Community Plan, Camino Del Vino was reduced to a Collector Road with a minimum right-of-way width of 74 feet with 2 lanes. Collector Streets are intended to serve intensive residential land use, multiple-family dwellings, or to convey traffic through an area to roads of equal or similar classification or higher. The change in road classification from Secondary Highway to Collector Road would be less capable to handle traffic impacts associated with commercial wineries or other more intense uses that are encouraged in the Winery District. Considering the current unpaved conditions of Camino Del Vino and Los Nogales Road, traffic impacts associated with a commercial winery or other more intense uses would result in an increase in traffic that would be less compatible with the surrounding single-family neighborhood. Therefore, the applicant is requesting the subject property be removed from the Winery District of the Temecula Valley Wine Country Policy Area and be placed in the Residential District of the Temecula Valley Wine Country Policy Area to allow residential development compatible with Camino Del Vino designated as a Collector Road.

Riverside County Vision - As provided in the General Plan, in summary, the vision for Riverside County is the following: "Riverside County is a family of special communities in a remarkable environmental setting." The Temecula Valley Wine Country Policy Area was developed to ensure the long term viability of the wine industry while protecting the community's equestrian rural lifestyle. The three districts that have been established for this policy area have additional policies within each district to provide for complimentary uses distinct to the delineated areas. These policies protect against the location of activities that are incompatible with existing residential and equestrian uses, which could lead to land use conflicts in the future. The boundary change from the Winery District, who's primary purpose is for the promotion and the establishment of commercial activities to the Residential District, who's primary purpose is to encourage permanent estate lots and to balance tourist related activities, is more compatible with the established residential neighborhood to the south. In addition, Los Nogales is a designed as a local street and would not be able to adequately serve a more intensive use other than residential.

b. Internal Consistency - Staff has reviewed this proposed amendment, in conjunction with each of the nine (9) Riverside County General Plan elements, including Land Use, Circulation, Multipurpose Open Space, Safety, Noise, Housing, Air Quality, Healthy Communities, and Administration, and has determined that this amendment is internally consistent with applicable General Plan Elements because, the Amendment is focused on shifting the policy area boundaries which does not directly relate to other elements and policies of the General Plan.

2. The Riverside County Board of Supervisors adopted the order initiating proceedings for General Plan Amendment No. 1202 on January 31, 2017.

Change of Zone Findings:

2. Change of Zone No. 7885 is a proposal to change the project site's Zoning Classification from Citrus/Vineyard 10-acre lot minimum (C/V-10 Zone) to Wine Country – Residential (WC-R Zone) and is consistent with the General Plan for the following reasons:

The project site is zoned Citrus/Vineyard 10-acre lot minimum and is within the Temecula Valley Wine Country Policy Area with the underlying land use designation of Agricultural. The change from CV-10 to WC-R still encourages agricultural uses. Additionally, the Wine Country Zones were established to implement the Temecula Valley Wine Country Policy Area. The purpose of the Wine Country Zones as stated in Ordinance No. 348 is to encourage agricultural cultivation, vineyards and wineries to preserve the wine-making atmosphere, and to protect the area and its residents from incompatible uses which could result in reduced agricultural productivity and increased urbanization within the policy area. The proposed zoning will allow for 5 acre lots sizes which is compatible with the surrounding development pattern in the project vicinity. In addition, the applicant is proposing to provide approximately 50% of the project area planted in vineyards, ensuring that the agricultural nature of the area is preserved and protected. The change of zone will be consistent with the General Plan by the preservation of the Temecula Valley Wine Country Policy Area's unique characteristics.

Tentative Tract Map Findings:

3. Tentative Tract Map No. 37254 is a proposal to subdivide 51.54 gross acres into 8 lots, and complies with Ordinance No. 460 based on the following:

a. The design of the tentative tract map is consistent with the County's General Plan. General Plan Principle IV.A.1 provides that the intent of the General Plan is to foster variety and choice in community development, particularly in the choice and opportunity for housing in various styles, of varying densities and of a wide range of prices and accommodating a range of life styles in equally diverse community settings, emphasizing compact and higher density choices. General Plan Principle IV.A.4 states that communities should range in location and type from urban to suburban to rural. General Plan Principle IV.B.1. promotes the development of a "unique community identity" which creates a sense of place by retaining distinct edges and sufficient open space between scattered urbanized areas. The proposed tentative tract map will comply with the General Plan by providing a variety of housing type in single-family residential community, promoting the unique characteristics of the Temecula Valley Wine Country Policy Area and by

incorporating portions of the project site as open space or planting for agricultural/vineyard uses. The project site is not located within a Specific Plan.

- b. The site is physically suitable for the proposed residential development and density because it is sensitive to the portions of the project site with steeper terrain and limits the amount of grading to develop the site and preserve the remaining areas in a natural state. The overall density and lot sizes proposed is compatible with the existing and planned surrounding land uses, which generally consist of Agricultural land use designations within the Temecula Valley Wine Country Policy Area.
 - c. The Environmental Assessment prepared for the project analyzed the potential environmental impacts of the project. Based on the findings and conclusions in the attached Environmental Assessment the design of the tentative tract map is not likely to cause substantial environmental damage, serious public health problems, or substantially and avoidably injure fish or wildlife or their habitat.
 - d. The design of the tentative tract map incorporates the extension and realignment of Los Nogales Road which enters the project site at Lot 4 and extends through to Lot 8 and connects with Camino Del Vino. This roadway will not only provide access to Lots 4-8 but will also allow access to the properties located to the south of the project site. The realignment of this road ensures the protection of the riparian areas and will be outside of the limits of the 100 year floodplain. The design of the subdivision and the realignment of Los Nogales will not substantially alter access previously utilized by the surrounding properties or the public at large.
 - e. The design of proposed land division or improvements will not conflict with easements acquired by the public at large, for access through, or use of, property within the proposed land division because, project design will ensure there will be no conflict with providing accessibility.
4. Additionally, the proposed Tentative Tract Map No. 37254 is consistent with the minimum improvements as outlined in Section 10.8 (Schedule "D" Subdivision) of Ordinance No. 460 based on the following:
- a. Streets – Condition of Approval 50. TRANS. 1, states that Camino Del Vino and Los Nogales are designated as a Local Street and shall be improved with 24 feet of class 3, aggregate base on a 40 foot graded section within a 66 foot, full-width dedicated right-of-way. With this condition of approval the requirements of Ordinance No. 460 10.8 A. 1, as it pertains to streets and street improvements have been met.
 - b. Domestic Water – Based on a letter from the Rancho California Water District (RCWD) dated March 9, 2017, the Project site is located within the service boundaries of the RCWD. Water service to the subject property currently exists under Account No. 3060625, Location No. 2034412. Water service to individual lots will required the extension of water facilities within dedicated public and/or private right-of-ways. Advisory Notification Document (AND) 15. E. HEALTH 2, states that it is the responsibility of the developer to ensure that all requirements to obtain potable water services are met with the RCWD as well as all other applicable agencies. In addition, because RCWD is regulated by the State, compliance with the criteria of California Administrative Code Title 22, Chapter 16 is required; therefore, with this condition and the requirements of the RCWD the requirements of Ordinance No. 460 10.8 A.2, as it pertains to domestic water will be met.

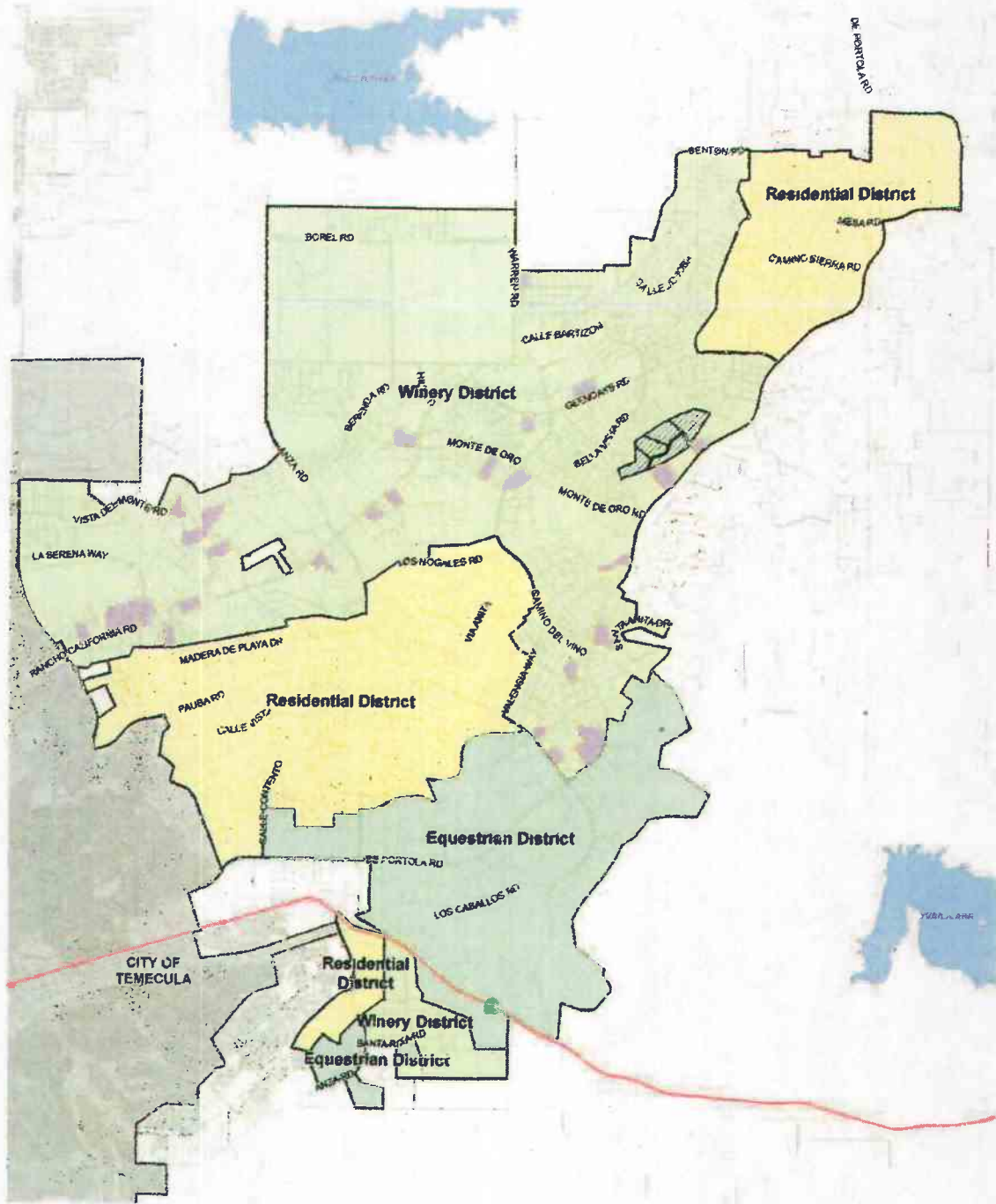
- c. Fire Protection – AND 15. FIRE. 1, requires the fire flow at 20 PSI, AND 15. FIRE.3, requires that the placement of fire hydrants shall not be located more than 600 feet in any direction from the exterior portion of any wall. Condition of Approval 50. FIRE. 2 requires that the developer submit water system plans, showing the hydrant type, location, spacing and fire flow. With the conditions of approvals the requirements of Ordinance No. 460 10. 8. B., as it pertains to fire protection has been met.
 - d. Sewage Disposal – The Project site is located within the Eastern Municipal Water District’s sewer service area. Presently, sanitary sewer service is not available to the project site. Therefore, the applicant is proposing an on-site sewage disposal system. Advisory Notification Document, 15. E. HEALTH. 3, requires that the land divider provide a percolation report, groundwater detection boring to be provided at the location of the Onsite Wastewater Treatment Septic System (OWTS) and be designed in accordance with the current Local Agency Management Program (LAMP) requirements. Compliance with Environmental Health’s standards and conditions of approval, the requirements of Ordinance No. 460.8.C, as it pertains to sewage disposal will be met.
5. This land division is located within a CAL FIRE state responsibility area, in a high/moderate fire hazard severity zone.
 - a. This land division has been designed so that each lot, and the subdivision as a whole, is in compliance sections 4290 and 4291 of the Public Resources Code by providing blue dot reflectors within streets, fire hydrant spacing requirements, and standards relating to driveways, turnarounds, gates, fire sprinkler systems, secondary access, and vegetation management requirements.
 - b. Fire protection and suppression services will be available for the subdivision through Riverside County Fire Department.
 - c. The project meets the regulations regarding road standards for fire equipment access adopted pursuant to Section 4290 of the Public Resources Code and Riverside County Ordinance No. 787. All necessary roadway infrastructure exists and the project site is located adjacent to Camino Del Vino and Los Nogales Road. Adequate accessibility to the Project site will be available for all emergency service vehicles.
 6. The existing Zoning Classification for the subject site is Citrus/Vineyard, 10-acre lot minimum (CV-10 Zone). The proposed Zoning Classification for the subject site is Wine Country – Residential, 5-acre lot minimum (WC-R Zone). The proposed project is consistent with the required lot area dimensions and standards as set forth in the Development Standards of the WC-R zoning classification. All lots will be a minimum of five (5) gross acres and all lots exceed the minimum average width of 200 feet. Ultimate development of the site will result in the construction of 8 single-family residences. Compliance with these standards as they relate to setbacks, site layouts, and height, will be addressed during the development stage of the 8 single-family residences. The proposed project will conform to the development standards of the WC-R Zoning Classification and all other applicable provisions of Ordinance No. 348.
 7. The project site is located in or partially within the Fee Assessment Area for the Stephen’s Kangaroo Rat Habitat Conservation Plan (“SKRHCP”). Per County Ordinance No. 663 and the SKRHCP, all applicants for development permits within the boundaries of the Fee Assessment

Area who cannot satisfy mitigation requirements through on-site mitigation, as determined through the environmental review process, shall pay a Mitigation Fee of \$500.00 per gross acre of the parcels proposed for development. Payment of the SKRHCP Mitigation Fee for this Project, instead of on-site mitigation, will not jeopardize the implementation of the SKRHCP as all core reserves required for permanent Stephen's Kangaroo Rat habitat have been acquired and no new land or habitat is required to be conserved under the SKRHCP.

8. Based on the above, the proposed GPA No. 1202, Change of Zone No. 7885 and Tentative Tract Map No. 37254 would not be detrimental to the health, safety or general welfare of the community and complies with the General Plan and all applicable ordinances.
9. Based on the above, the proposed GPA No. 1202, Change of Zone No. 7885 and Tentative Tract Map No. 37254 are compatible with surrounding land uses, as the surrounding land uses consist of residential development, on large lots with limited agricultural uses and vineyards .

PUBLIC HEARING NOTIFICATION AND OUTREACH

Public hearing notices were mailed to property owners within 800 feet of the proposed project site. As of the writing of this report Planning Staff has received approximately 8 written communication or phone calls in opposition to the proposed project and 3 written communication or phone calls in favor of the proposed project.



Data Source: Riverside County 2011

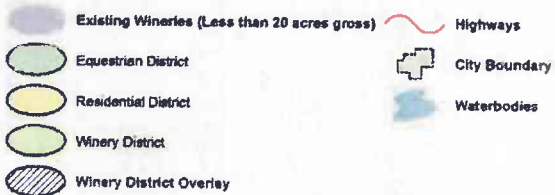
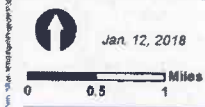


Figure 4B



Disclaimer: Maps and data are to be used for informational purposes only. Map features are approximate and are not necessarily accurate to planning or engineering standards. The County of Riverside makes no warranty or guarantee as to the content, data source, or accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of the product without respect to accuracy and precision shall be the sole responsibility of the user.



GPA No. 1202
**PROPOSED TEMECULA VALLEY
 WINE COUNTRY POLICY AREA
 WITH DISTRICTS**

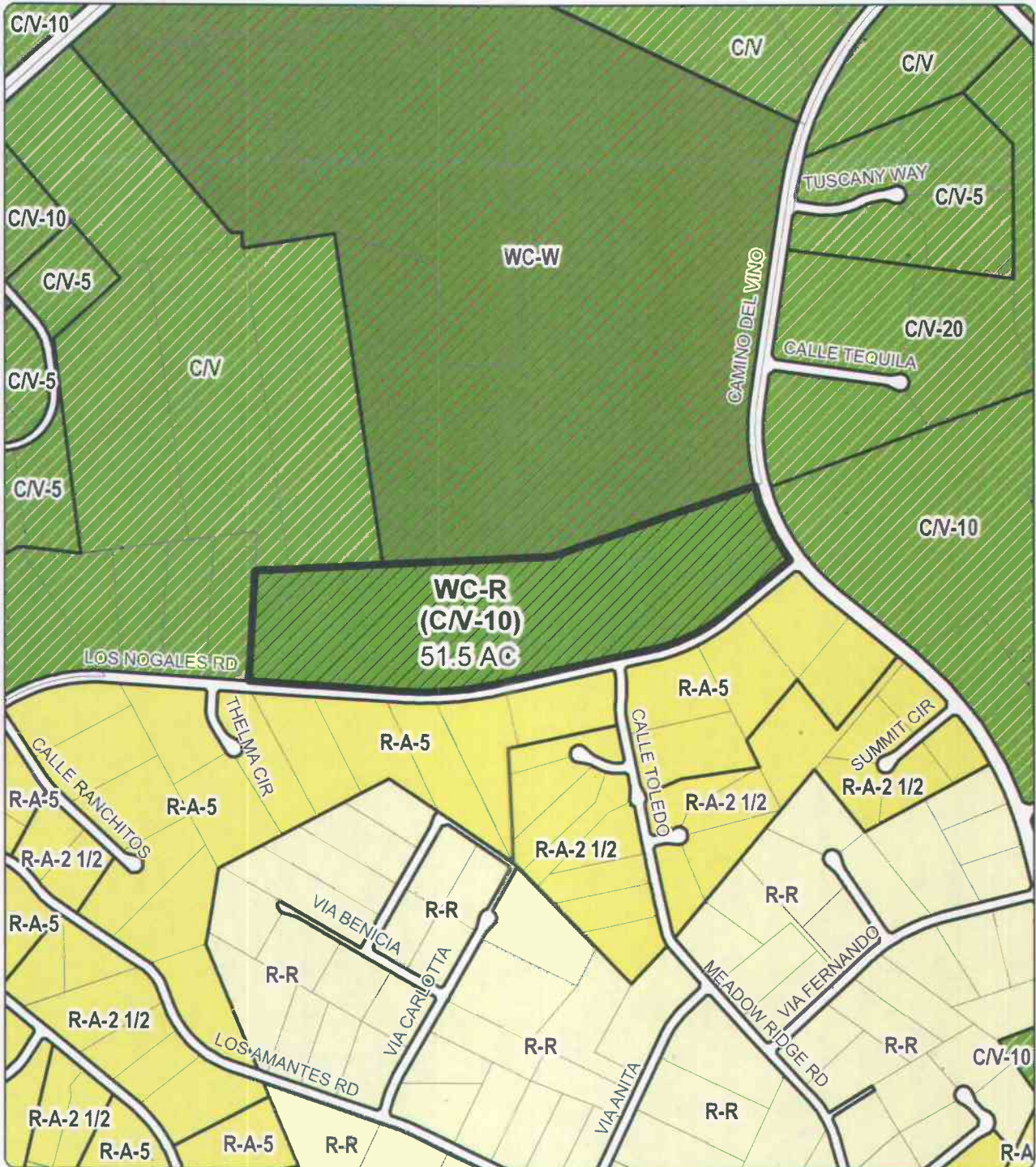
RIVERSIDE COUNTY PLANNING DEPARTMENT

CZ07885 GPA01202 TR37254

Supervisor: Washington
District 3

Date Drawn: 09/08/2017
Exhibit 3

PROPOSED ZONING



Zoning Area: Rancho California

Author: Vinnie Nguyen



DISCLAIMER: On October 7, 2003, the County of Riverside adopted a 5-year General Plan providing new land use designations for unincorporated Riverside County parcels. This new General Plan may sustain different type 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) 955-4200 (Western County) or the Palm Desert at (760) 869-4277 (Eastern County) or Website <http://leginfo.ca.gov/pub>

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RESOLUTION 2018-001
RECOMMENDING ADOPTION OF
GENERAL PLAN AMENDMENT NO. 1202

WHEREAS, pursuant to the provisions of Government Code Section(s) 65350/65450 et. seq., a public hearing was held before the Riverside County Planning Commission in Riverside, California on February 21, 2018, to consider the above-referenced matter; and,

WHEREAS, all the procedures of the California Environmental Quality Act and the Riverside County Rules to Implement the Act have been met and the environmental document prepared or relied on is sufficiently detailed so that all the potentially significant effects of the project on the environment and measures necessary to avoid or substantially lessen such effects have been evaluated in accordance with the above-referenced Act and Procedures; and,

WHEREAS, the matter was discussed fully with testimony and documentation presented by the public and affected government agencies; now, therefore,

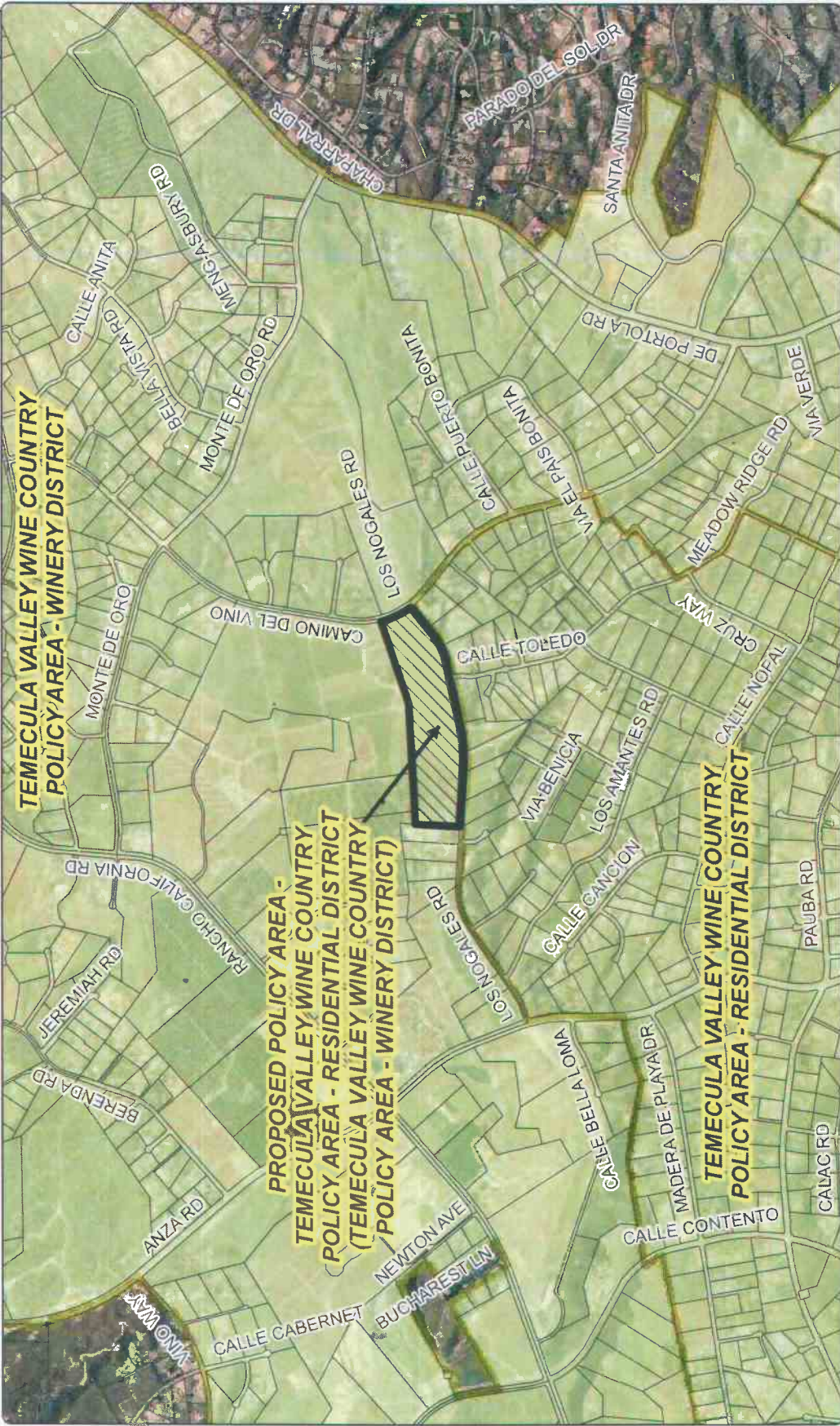
BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED by the Planning Commission of the County of Riverside, in regular session assembled on February 21, 2018 that it has reviewed and considered the environmental document prepared or relied on and recommends the following, based on the findings and conclusions in the staff report and incorporated herein by reference:

- ADOPTION** of a **NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 42839**; and
- APPROVAL** of **GENERAL PLAN AMENDMENT NO. 1202**.

**RIVERSIDE COUNTY PLANNING DEPARTMENT
CZ07885 GPA01202 TR37254
VICINITY/POLICY AREAS**

Supervisor: Washington
District 3

Date Drawn: 09/08/2017
Vicinity Map



Author: Vinnie Nguyen

Zoning Area: Rancho California

REPLACEMENT OF THE COUNTY OF RIVERSIDE'S ZONING MAPS AND ORDINANCES
The County of Riverside is pleased to announce the release of the new zoning maps and ordinances. The new maps and ordinances are the result of a comprehensive review of the existing maps and ordinances. The new maps and ordinances are designed to provide a more consistent and efficient zoning process. The new maps and ordinances are available on the County's website at www.riversideca.gov. For more information, please contact the Planning Department at (951) 956-0000. The new maps and ordinances are effective as of the date of their adoption.

RIVERSIDE COUNTY PLANNING DEPARTMENT

CZ07885 GPA01202 TR37254

Supervisor: Washington
District 3

Date Drawn: 09/08/2017
Exhibit 1

LAND USE



Zoning Area: Rancho California

Author: Vinnie Nguyen



DISCLAIMER: On October 7, 2014, 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 type of land use designations for similar existing zoning. For further information, please contact the Riverside County Planning Department office in Riverside at (951) 915-5200 (Western County) or at Pella Desert at (760) 633-9277 (Eastern County) or Website <http://riverside.ca.gov>

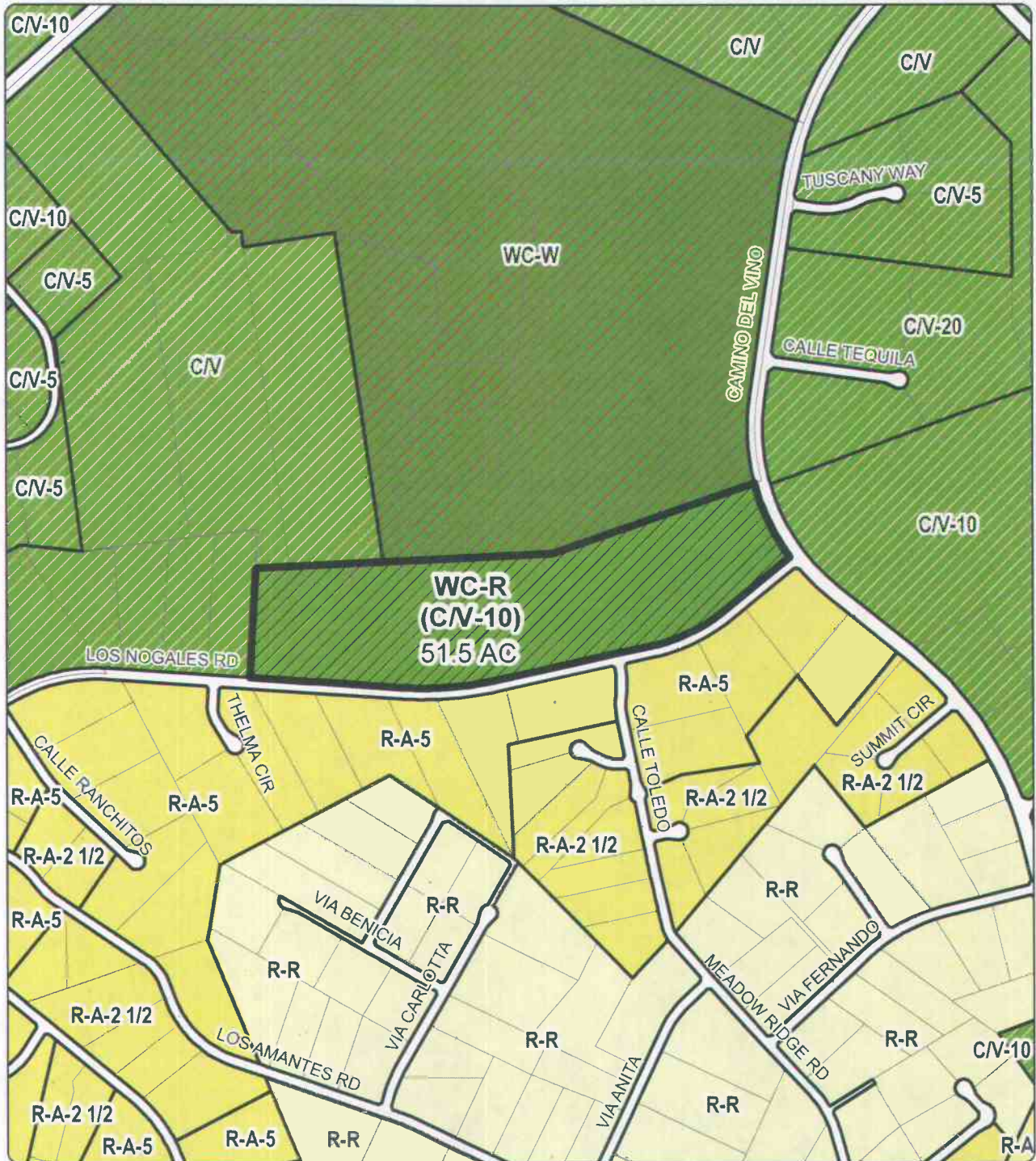
RIVERSIDE COUNTY PLANNING DEPARTMENT

CZ07885 GPA01202 TR37254

Supervisor: Washington
District 3

Date Drawn: 09/08/2017
Exhibit 3

PROPOSED ZONING



Zoning Area: Rancho California

Author: Vinnie Nguyen

DISCLAIMER: On October 7, 2013, the County of Riverside adopted a new General Plan providing new and use designations for unincorporated Riverside County parcels. This new General Plan may contain different type 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)900-3200 (Western County) or in Palm Desert at (760)863-8277 (Eastern County) or Website: <http://www.riverside.ca.gov>



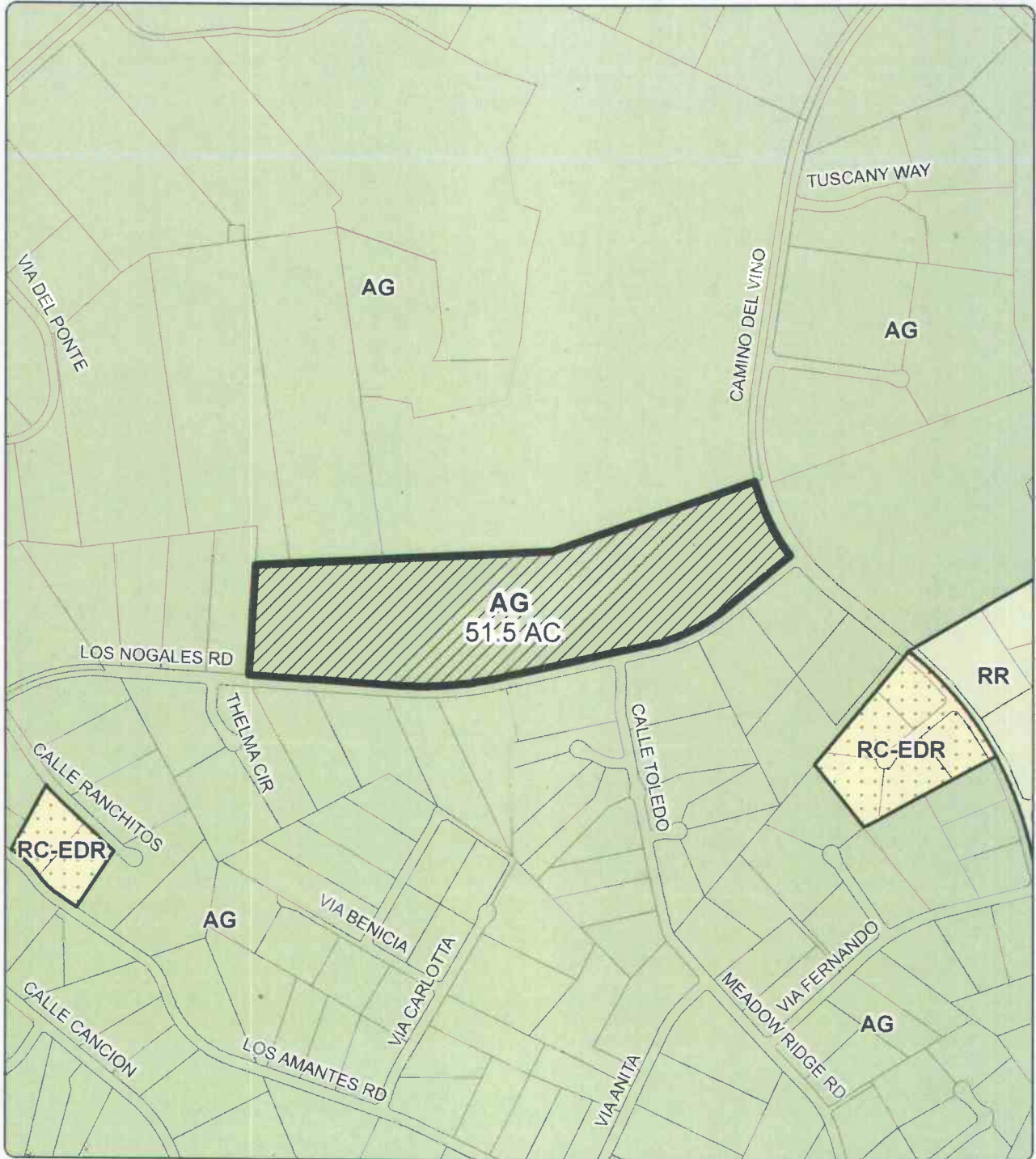
RIVERSIDE COUNTY PLANNING DEPARTMENT

CZ07885 GPA01202 TR37254

EXISTING GENERAL PLAN

Supervisor: Washington
District 3

Date Drawn: 09/08/2017
Exhibit 5

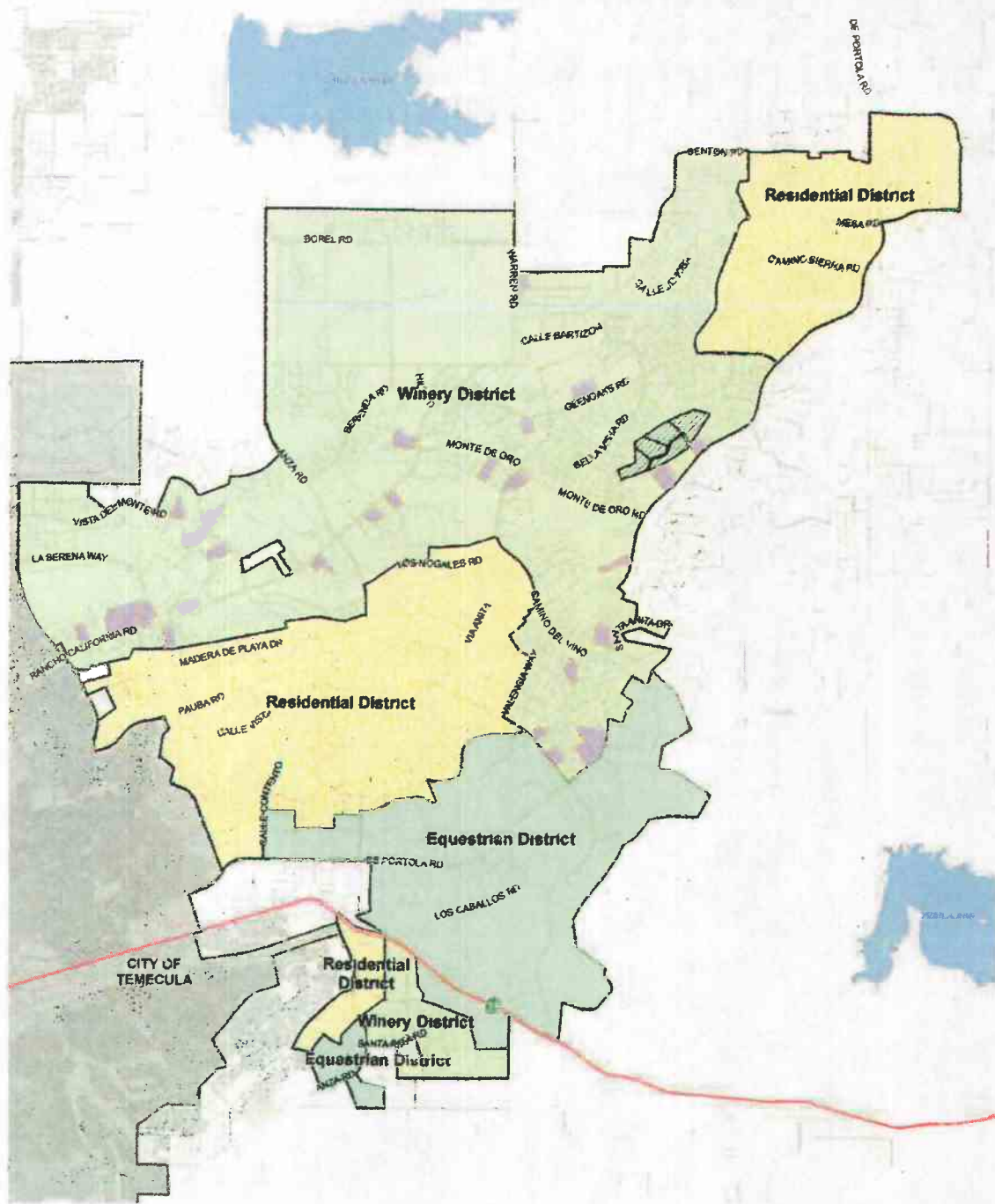


Zoning Area: Rancho California

Author: Vinnie Nguyen



DISCLAIMER: On October 7, 2013, the County of Riverside adopted a new General Plan providing for land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use designations 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 Palmdale at (760) 863-8277 (Eastern County) or Website <http://rctonline.ca.gov>



Data Source: Riverside County 2011









-  Existing Wineries (Less than 20 acres gross)
-  Equestrian District
-  Residential District
-  Winery District
-  Winery District Overlay
-  Highways
-  City Boundary
-  Waterbodies

Figure 4B

Jan. 12, 2018
 0 0.5 1 Miles

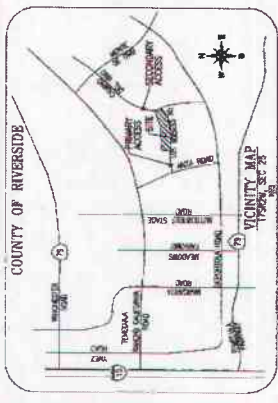
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GPA No. 1202
**PROPOSED TEMECULA VALLEY
 WINE COUNTRY POLICY AREA
 WITH DISTRICTS**

TENTATIVE TRACT 37254

IN THE COUNTY OF RIVERSIDE, CALIFORNIA (TRACT 37254)



OWNER
THOMAS BROS CORPORATION
CITY OF INGLEWOOD, CA 91748

APPLICANT
THOMAS BROS CORPORATION
11111 158th ST
TERRACE, CA 92591
(951) 228-1000

ENGINEER/EXHIBIT PREPARER
LOVE ENGINEERING
11111 158th ST
TERRACE, CA 92591
(951) 228-1000

EARTHWORK
LOVE ENGINEERING
11111 158th ST
TERRACE, CA 92591
(951) 228-1000

ASSASSOR'S PARCEL NO.
91-100-000

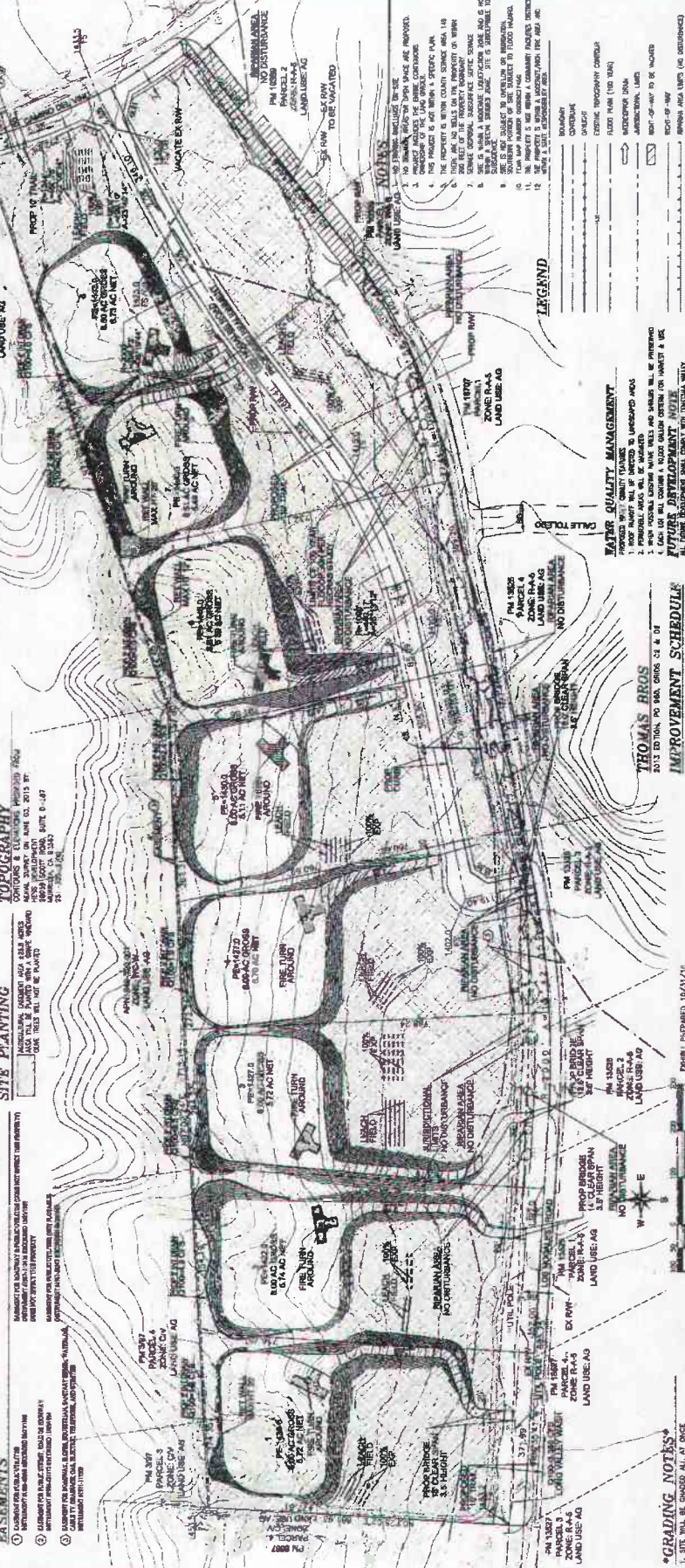
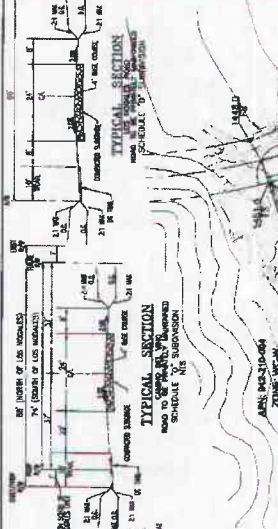
ACREAGE
TOTAL: 31.00 ACRES
RESERVED: 0.00 ACRES
RETRACTED: 0.00 ACRES
TOTAL: 31.00 ACRES

LAND USE
1. RESIDENTIAL
2. COMMERCIAL
3. INDUSTRIAL
4. AGRICULTURAL
5. OPEN SPACE
6. OTHER

UTILITIES
WATER: AVAILABLE
SEWER: AVAILABLE
ELECTRIC: AVAILABLE
TELEPHONE: AVAILABLE
CABLE: AVAILABLE
GAS: AVAILABLE

TOPOGRAPHY
CONTOURS & ELEVATIONS PROVIDED
ELEVATION RANGE: 100' TO 150'

LEGAL DESCRIPTION
TRACT 37254, AS SHOWN ON THE TRACT MAP OF TRACT 37254, AS FILED FOR RECORD IN THE COUNTY CLERK'S OFFICE OF RIVERSIDE COUNTY, CALIFORNIA, ON 04/15/2013.



LEGEND

BOUNDARY
--- BOUNDARY ---

EXISTING TOPOGRAPHY CONTOUR
--- EXISTING TOPOGRAPHY CONTOUR ---

PROPOSED GRADING CONTOUR
--- PROPOSED GRADING CONTOUR ---

PROPOSED IMPROVEMENTS
--- PROPOSED IMPROVEMENTS ---

PROPOSED EASEMENT
--- PROPOSED EASEMENT ---

PROPOSED RIGHT-OF-WAY
--- PROPOSED RIGHT-OF-WAY ---

PROPOSED UTILITY
--- PROPOSED UTILITY ---

PROPOSED FENCE
--- PROPOSED FENCE ---

PROPOSED SIGN
--- PROPOSED SIGN ---

PROPOSED LIGHT
--- PROPOSED LIGHT ---

PROPOSED TREE
--- PROPOSED TREE ---

PROPOSED PLANTING
--- PROPOSED PLANTING ---

PROPOSED PAVEMENT
--- PROPOSED PAVEMENT ---

PROPOSED ASPHALT
--- PROPOSED ASPHALT ---

PROPOSED CONCRETE
--- PROPOSED CONCRETE ---

PROPOSED BRICK
--- PROPOSED BRICK ---

PROPOSED STONE
--- PROPOSED STONE ---

PROPOSED METAL
--- PROPOSED METAL ---

PROPOSED WOOD
--- PROPOSED WOOD ---

PROPOSED PLASTER
--- PROPOSED PLASTER ---

PROPOSED GYPSUM
--- PROPOSED GYPSUM ---

PROPOSED STUCCO
--- PROPOSED STUCCO ---

PROPOSED TILE
--- PROPOSED TILE ---

PROPOSED CARPET
--- PROPOSED CARPET ---

PROPOSED FLOORING
--- PROPOSED FLOORING ---

PROPOSED PAINTING
--- PROPOSED PAINTING ---

PROPOSED FINISHING
--- PROPOSED FINISHING ---

PROPOSED MAINTENANCE
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PROPOSED REPAIRS
--- PROPOSED REPAIRS ---

PROPOSED REPLACEMENTS
--- PROPOSED REPLACEMENTS ---

PROPOSED UPGRADES
--- PROPOSED UPGRADES ---

PROPOSED MODIFICATIONS
--- PROPOSED MODIFICATIONS ---

PROPOSED ADJUSTMENTS
--- PROPOSED ADJUSTMENTS ---

PROPOSED CORRECTIONS
--- PROPOSED CORRECTIONS ---

PROPOSED IMPROVEMENTS
--- PROPOSED IMPROVEMENTS ---

WATER QUALITY MANAGEMENT

1. PREVENTION OF EROSION AND SEDIMENTATION
2. PROTECTION OF WATER QUALITY
3. PROTECTION OF WETLANDS AND OTHER SENSITIVE AREAS
4. PROTECTION OF HISTORIC AND CULTURAL RESOURCES
5. PROTECTION OF VISUAL QUALITY
6. PROTECTION OF AIR QUALITY
7. PROTECTION OF SOIL QUALITY
8. PROTECTION OF GROUNDWATER QUALITY
9. PROTECTION OF PUBLIC UTILITIES
10. PROTECTION OF TRANSPORTATION SYSTEMS
11. PROTECTION OF COMMUNITY FACILITIES
12. PROTECTION OF ENVIRONMENTAL QUALITY

FUTURE DEVELOPMENT

1. ALL FUTURE DEVELOPMENT SHALL COMPLY WITH THE COUNTY WILDFIRE MITIGATION ACT AND LOCAL ORDINANCES.
2. ALL FUTURE DEVELOPMENT SHALL COMPLY WITH THE COUNTY WILDFIRE MITIGATION ACT AND LOCAL ORDINANCES.
3. ALL FUTURE DEVELOPMENT SHALL COMPLY WITH THE COUNTY WILDFIRE MITIGATION ACT AND LOCAL ORDINANCES.

IMPROVEMENT SCHEDULE

1. ALL IMPROVEMENTS SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
2. ALL IMPROVEMENTS SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
3. ALL IMPROVEMENTS SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.

GRADING NOTES

1. SITE SHALL BE GRADDED AT ONCE.
2. SITE GRADINGS SHALL BE TO SUPPORT OF EXISTING IMPROVEMENTS.

Underground Services Alert

1. CALL 811 BEFORE YOU DIG.
2. CALL 811 BEFORE YOU DIG.
3. CALL 811 BEFORE YOU DIG.

Underground Services Alert

1. CALL 811 BEFORE YOU DIG.
2. CALL 811 BEFORE YOU DIG.
3. CALL 811 BEFORE YOU DIG.

Underground Services Alert

1. CALL 811 BEFORE YOU DIG.
2. CALL 811 BEFORE YOU DIG.
3. CALL 811 BEFORE YOU DIG.

LOVE ENGINEERING
11111 158th ST
TERRACE, CA 92591
(951) 228-1000

PROPOSED TRACT 37254

DATE: APRIL 10, 2013

SCALE: AS SHOWN

DATE: APRIL 10, 2013

SCALE: AS SHOWN



RIVERSIDE COUNTY
PLANNING DEPARTMENT

Charissa Leach
Assistant TLMA Director

MITIGATED NEGATIVE DECLARATION

Project/Case Number: GPA 1202, CZ 7885, and TR 37254

Based on the Initial Study, it has been determined that the proposed project, subject to the proposed mitigation measures, will not have a significant effect upon the environment.

PROJECT DESCRIPTION, LOCATION, AND MITIGATION MEASURES REQUIRED TO AVOID POTENTIALLY SIGNIFICANT EFFECTS. (see Environmental Assessment/Initial Study and Conditions of Approval)

COMPLETED/REVIEWED BY:

By: Deborah Bradford Title: Contract Project Planner Date: February 28, 2018

Applicant/Project Sponsor: Koll Custom Homes Inc., c/o Greg Koll Date Submitted: March 12, 2018

ADOPTED BY: Board of Supervisors

Person Verifying Adoption: _____ Date: _____

The Mitigated Negative Declaration may be examined, along with documents referenced in the initial study, if any, at:

Riverside County Planning Department 4080 Lemon Street, 12th Floor, Riverside, CA 92501

For additional information, please contact Deborah Bradford at (951) 955-6646.

Revised: 03/12/18
Y:\Planning Master Forms\Templates\CEQA Forms\Mitigated Negative Declaration.docx

Please charge deposit fee case#: ZEA42839 ZCFG6216

FOR COUNTY CLERK'S USE ONLY

[Empty rectangular box for County Clerk's use]

**COUNTY OF RIVERSIDE
ENVIRONMENTAL ASSESSMENT FORM: INITIAL STUDY**

Environmental Assessment (E.A.) Number: 42839
Project Case Type (s) and Number(s): GPA No. 1202, CZ No. 7885, TR 37254, and AG Preserve Case No. 1056
Lead Agency Name: Riverside County Planning Department
Address: P.O. Box 1409, Riverside, CA 92502-1409
Contact Person / EA Preparer: Deborah Bradford
Telephone Number: (951) 955-6646
Applicant's Name: Koll Custom Home Inc. Attention: Greg Koll
Applicant's Address: P.O. Box 1658 Temecula CA. 92593

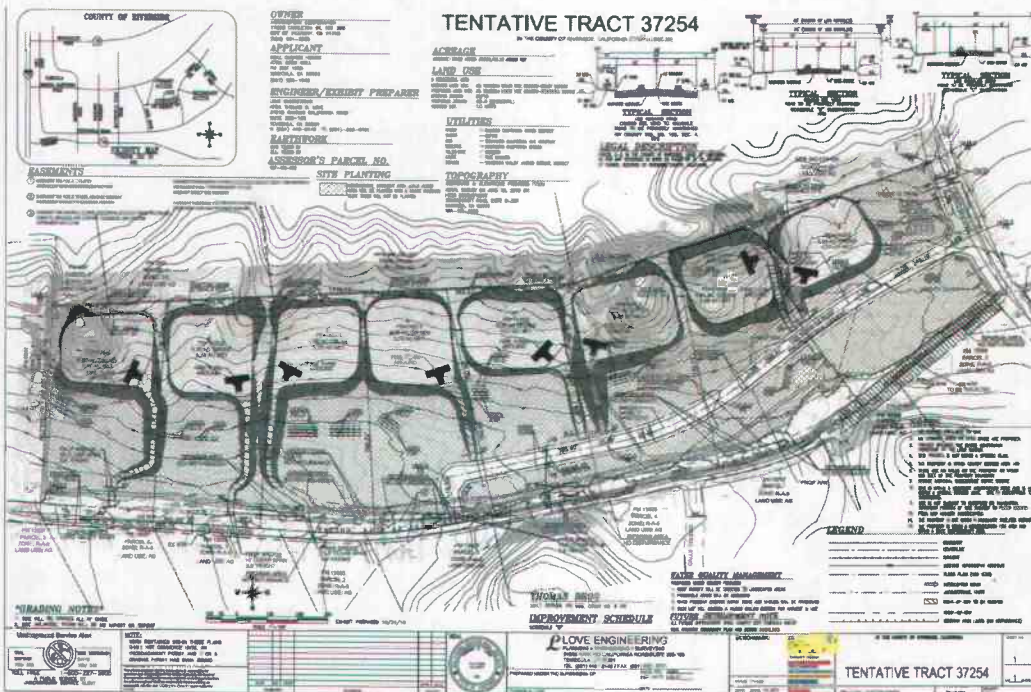
I. PROJECT INFORMATION

Project Description:

GENERAL PLAN AMENDMENT NO. 1202 (Foundation Amendment) –The applicant is proposing to amend the boundaries of the Wine Country – Winery District and the Wine Country – Residential District within the Temecula Valley Wine Country Policy Area by removing the subject property consisting of 51.54 gross acres from the Wine Country – Winery District and placing it within the Wine Country – Residential District. General Plan Amendment No. 1202 (GPA No. 1202) will amend Figure 4B of the Southwest Area Plan to show the revised boundaries of these two Wine Country Districts.

CHANGE OF ZONE NO. 7885 – The applicant proposes to amend the zoning classification for the subject property from Citrus/Vineyard, 10-acre minimum lot size (CV-10) to Wine Country – Residential (WC-R).

TENTATIVE TRACT MAP NO. 37254 – The applicant is proposing a Schedule D subdivision to divide a 51.54 gross acre lot into 8 single-family residential lots. The lots range in size from 6 to 8.5 gross acres.



AGRICULTURAL PRESERVE NO. 1056 (DIMINISHMENT/CANCELLATION)/AGRICULTURAL PRESERVE NOTICE NO. 173 - The applicant proposes to delete (diminish) 48.52 acres from Rancho California Agricultural Preserve No. 11 and cancel the land conservation contract executed for Rancho California No. 11, Amendment #3, Map No. 389. The applicant also filed an application for a notice of nonrenewal for the abovementioned land conservation contract.

A. Type of Project: Site Specific ; Countywide ; Community ; Policy .

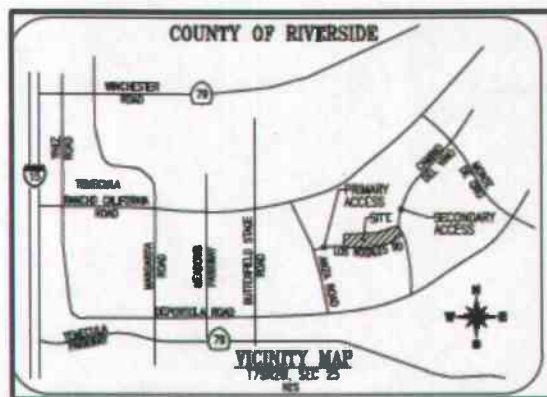
B. Total Project Area: 51.54 gross acres

Residential Acres:	Lots: 8	Units:	Projected No. of Residents:
51.5 gross acres			25
Commercial Acres:	Lots:	Sq. Ft. of Bldg. Area:	Est. No. of Employees:
Industrial Acres:	Lots:	Sq. Ft. of Bldg. Area:	Est. No. of Employees:

Other:

C. Assessor's Parcel No(s): 927-450-002

Street References: The Project site is located north of Los Nogales Road, south of Monte de Ono Road, west of Camino Del Vino, and east of Anza Road.



Vicinity Map

D. Section, Township & Range Description or reference/attach a Legal Description: Section: 25, Township: 7S, Range: 2W

E. Brief description of the existing environmental setting of the project site and its surroundings: The Project site is comprised of approximately 51.54 gross acres which consists primarily of grape vines and moderate amounts of annual weeds and grasses. The Long Valley Wash is located along the southern portion of the Project site. Topography of the site is relatively moderate with the terrain being generally gently sloping and steepening to the north and ranges in elevations from 1,386 – 1,480 feet above mean sea level (amsl). The Project site is surrounded by vacant land, scattered residential development, agricultural land and vineyards.

II. APPLICABLE GENERAL PLAN AND ZONING REGULATIONS

A. General Plan Elements/Policies:

1. **Land Use:** The Project site is located within the Southwest Area Plan and within the Temecula Valley Wine Country Policy Area – Winery District. The applicant is proposing a General Plan Amendment to change the Policy Area to the Residential District. As provided in the General Plan, in summary, the vision for Riverside County is the following: “Riverside County is a family of special communities in a remarkable environmental setting.” The Temecula Valley Wine Country Policy Area was developed to ensure the long term viability of the wine industry while protecting the community’s equestrian rural lifestyle, and promote and preserve the distinctive character of this unique area within the Southwestern Area Plan. By amending the policy area from the winery district to the residential district the subject property will not conflict with this vision or the purpose of the Policy Area because the subject property is consistent with the usage and the zoning of the surrounding properties will ensure that by amending the policy area to residential the preservation of the community’s unique character will continue.
2. **Circulation:** The Project has adequate circulation facilities and is therefore consistent with the Circulation Element of the General Plan. The proposed Project meets all other applicable circulation policies of the General Plan.
3. **Multipurpose Open Space:** The proposed Project is located within the Western Riverside County Multi-Species Habitat Conservation Plan (WRMSHCP), but is not within a Criteria Cell. An incised channel of Long Valley Wash is located on the project site. The Long Valley Wash is located within the southern portion of the site and construction of the bridges crossing the wash must comply with the “Guidelines for Construction of Wildlife Crossings” set forth in Section 7.5.2 of the MSHCP Volume 1. The streambed and its associated Riparian Forest and Scrub habitats meet the definition of MSHCP Riparian/Riverine Areas. Long Valley Wash and its associated Riparian Forest and Riparian scrub habitats will remain on the site in their existing conditions and will be 100% avoided. Conditions of approval will be required to ensure consistency with all applicable Multipurpose Open Space policies.
4. **Safety:** The proposed Project allows for sufficient provision of emergency response services to the existing and future users of this Project through the Project’s design. The proposed Project meets all other applicable Safety Element policies.
5. **Noise:** Ultimate development of the Project site will result in 8 single family residences. Residential uses are considered sensitive uses and as stated in the Noise Element requires a “serene environment”. The Project site is located in an area with land use designations that allow for residential uses and is not located in an area that allows for the development of high noise producing uses such as airports or heavy manufacturing uses. The proposed Project will comply with all applicable Noise Element policies and specifically Policy N 1.3 and N 1.4.
6. **Housing:** The proposed Project is for residential development on land that is currently vacant; therefore, implementation of the Project does not entail the displacement of existing housing nor does it create a need for new housing; thus, the Project will not conflict with General Plan Housing Element policies.
7. **Air Quality:** The proposed Project includes site preparation and construction-related activities. The Project will comply with all applicable regulatory requirements to control fugitive dust during construction and grading activities and will not conflict with policies in the General Plan Air Quality Element.

8. Healthy Communities: Ten foot wide community trails will be included within the project design and located along the southern portion of Los Nogales Road and along the western edge of Camino Del Vino. The location of the trails within the subdivision will encourage pedestrian activity which is consistent with the policies of the Healthy Communities Element.

B. General Plan Area Plan(s): Southwest

C. Foundation Component(s): Agricultural

D. Land Use Designation(s): Agricultural

E. Overlay(s), if any: N/A

F. Policy Area(s), if any: Temecula Valley Wine Country Policy Area – Winery District

G. Adjacent and Surrounding:

1. Area Plan(s): Southwest

2. Foundation Component(s): Agricultural

3. Land Use Designation(s): Agricultural

4. Overlay(s), if any: N/A

5. Policy Area(s), if any: Temecula Valley Wine Country Policy Area – Winery District and Temecula Valley Wine Country Policy Area – Residential District.

H. Adopted Specific Plan Information

1. Name and Number of Specific Plan, if any: N/A

2. Specific Plan Planning Area, and Policies, if any: N/A

I. Existing Zoning: Citrus/Vineyard, 10-acre lot minimum (CV-10)

J. Proposed Zoning, if any: Wine Country – Residential, 5-acre lot minimum (WC-R)

K. Adjacent and Surrounding Zoning: Residential Agricultural, 5-acre lot minimum (R-A-5), Citrus/Vineyard, 10-acre lot minimum, Wine-Country - Winery

III. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below (x) would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Less than Significant with Mitigation Incorporated" as indicated by the checklist on the following pages.

Aesthetics

Agriculture & Forest Resources

Air Quality

Hydrology / Water Quality

Land Use / Planning

Mineral Resources

Transportation / Traffic

Tribal Cultural Resources

Utilities / Service Systems