

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



ITEM: 21.4
(ID # 15289)

MEETING DATE:

Tuesday, June 08, 2021

FROM: TLMA-PLANNING:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/PLANNING: PUBLIC HEARING ON THE ADOPTION OF RESOLUTION NO. 2021-110 AND RESOLUTION NO. 2021-111, AND APPROVAL OF AGREEMENT between the County of Riverside and Sirah Vineyard Development Corporation to defer the payment of Land Conservation Contract Cancellation Fees related to Agricultural Preserve Case No. APD200001 and Agricultural Preserve Case No. APD200002 – Nothing Further Required under CEQA – Applicant: Sirah Vineyard Development Corporation – District 3. [Applicant Fees 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. **ADOPT RESOLUTION NO. 2021-110** finding in favor of deferring the cancellation fee for Agricultural Preserve Case No. 200001, which is related to the diminishment of the Rancho California Agricultural Preserve No. 3, Map No. 108, as amended by Map No. 930 and further amended by Map No. 200001;
2. **ADOPT RESOLUTION NO. 2021-111** finding in favor of deferring the cancellation fee for Agricultural Preserve Case No. 200002, which is related to the disestablishment of the Rancho California Agricultural Preserve No. 35, Map No. 547, as amended by Map No. 929 and further amended by Map No. 200002;

Continued on Page 2

ACTION: Policy


John Hildebrand, Planning Director 5/18/2021

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Washington, seconded by Supervisor Perez and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez, and Hewitt
Nays: None
Absent: None
Date: June 8, 2021
xc: Planning, State, Treasurer, ACR

Kecia R. Harper
Clerk of the Board

By: 
Deputy

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

RECOMMENDED MOTION: That the Board of Supervisors:

3. **APPROVE AND AUTHORIZE** the Chair to execute the agreement attached hereto as Attachment C between the County of Riverside and Sirah Vineyard Development Corporation ("Sirah"), which sets forth the terms and obligations for Sirah to pay the total cancellation fee amounts related to Agricultural Preserve Case No. 200001 and Agricultural Preserve Case No. 200002 no later than August 20, 2023 ("Agreement"), subject to the deferral request being approved by the California Secretary of the Natural Resources Agency;
4. **AUTHORIZE** the Planning Director, in consultation with the Office of County Counsel, to take all necessary steps to implement the terms of the Agreement; and
5. **DIRECT** the Clerk of the Board to transmit copies of Resolution No. 2021-110 and Resolution No 2021-111 to the Riverside County Planning Department, State of California Director of Conservation, the Treasurer of Riverside County, and the Office of the Assessor of Riverside County.

Continued on Page 3

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$0	\$0	\$0	\$0
NET COUNTY COST	\$0	\$0	\$0	\$0
SOURCE OF FUNDS: Applicant Fees 100%			Budget Adjustment: No	
			For Fiscal Year: N/A	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

In accordance with the California Land Conservation Act of 1965, also known as the Williamson Act, and County of Riverside Resolution ("Resolution") No. 84-526, Rancho California Agricultural Preserve No. 3 was established on August 24, 1970, pursuant to Map No. 108 and originally consisted of 138.85 acres. Rancho California Agricultural Preserve No. 3 was diminished over the years and by October 9, 2008, consisted of a total gross area of approximately 53.81 acres.

Also, in accordance with the Williamson Act and Resolution No. 84-526, Rancho California Agricultural Preserve No. 35 was established on April 27, 1982, pursuant to Map No. 547 and originally consisted of 152.9 acres. Rancho California Agricultural Preserve No. 35 was also diminished over the years and by September 30, 2008, consisted of a total gross area of approximately 82.73 acres.

Subsequently, Sirah Vineyard Development Corporation ("Sirah"), as trustor, was granted ownership of the property on January 28, 2016, with portions of land that were subject to both Rancho California Agricultural Preserve No. 3 and Rancho California Agricultural Preserve No. 35.

On July 7, 2020, by public hearing (Agenda Item 21.1), the Riverside County Board of Supervisors ("Board") tentatively approved Agricultural Preserve Case No. 200001 ("APD No. 200001") related to Assessor's Parcel Number 943-260-027, which diminished Rancho California Agricultural Preserve No. 3 by 43.27 acres, issued a corresponding Certification of Tentative Cancellation and Diminishment, and certified the cancellation fee as \$454,335.00. On that same date, the Board also tentatively approved Agricultural Preserve Case No. 200002 ("APD No. 200002") related to Assessor's Parcel Numbers 943-260-027 and 943-070-003, which disestablished the remaining 82.73 acres of the Rancho California Agricultural Preserve No. 35, issued a Certificate of Tentative Cancellation and Disestablishment, and certified the cancellation fee as \$868,665.00.

Sirah now desires a deferral or extension of the time for making the \$454,335.00 cancellation fee for APD No. 200001 and \$868,665.00 cancellation fee for APD No. 200002 (collectively,

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

"Cancellation Fees"), pursuant to Government Code Section 51283(c). According to Government Code Section 51283 and County of Riverside Resolution No. 84-526 Section 513(3), if the Board finds it is in the public interest, the Board may extend the time for making the Agricultural Preserve cancellation fee payment contingent upon the future use made of the land and its economic return to the landowner if all of the factors described in Government Code Section 51283, subsection (c) are met.

Resolution No. 2021-110 and Resolution 2021-111 make the required Board findings for deferral of the Cancellation Fees related to APD No. 200001 and APD No. 200002, respectively, until August 20, 2023. Final approval of the deferral requires independent review and approval by the California Secretary of the Natural Resources Agency.

The attached agreement between the County and Sirah defers the payment deadline for the Cancellation Fees to August 20, 2023, if the deferral is approved by the California Secretary of the Natural Resources Agency. Additionally, prior to August 20, 2023, Sirah is required to make a minimum payment of \$94,500 to the County upon the transfer of title for each individual lot. The terms of the agreement also provide that Sirah will indemnify the County for any related legal action.

On July 7, 2020, along with approving the Certificate of Tentative Cancellation for the Land Conservation Contracts related to Agricultural Preserve Case No. 200001 and Agricultural Preserve Case No. 200002, the County considered an addendum to the previously adopted Mitigated Negative Declaration for Environmental Assessment No. 39682. Adopting Resolution Nos. 2021-110 and 2021-111, and approving the associated agreement only changes the timeline for Sirah to pay the associated Cancellation Fees. All other aspects of the disestablishment, diminishment and Tentative Parcel Map No. 37667 remain the same as considered at the July 7, 2020, public hearing. As such, nothing further is required under CEQA for the adoption of Resolution Nos. 2021-110 and 2021-111 and approval of the associated agreement.

Impact on Residents and Businesses

The deferral of the cancellation fees related to APD No. 200001 and APD No. 200002 will not have a significant effect on surrounding property owners, because the Certificates of Tentative Cancellation have already been analyzed and approved at the July 7, 2020 public hearing. The site is currently utilized for agricultural uses and no new land use or construction activity is proposed at this time.

SUPPLEMENTAL:

Additional Fiscal Information

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

ATTACHMENTS:

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

- A.** Resolution No. 2021-110
- B.** Resolution No. 2021-111
- C.** Agreement to Defer Cancellation Fees for APD No. 200001 & APD No. 200002

 _____ Jason Farin, Principal Management Analyst	 _____ 6/2/2021	 _____ Gregory L. Priamos, Director County Counsel	 _____ 5/26/2021
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RESOLUTION NO. 2021-110
RECOMMENDING A DEFERRAL OF THE CANCELLATION FEE FOR
AGRICULTURAL PRESERVE CASE NO. 200001
RELATED TO THE CANCELLATION AND DIMINISHMENT OF
RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 3
(Government Code Section 51283)

WHEREAS, Rancho California Agricultural Preserve No. 3 was established on August 24, 1970, pursuant to Map No. 108 and originally consisted of 138.85 acres; and,

WHEREAS, Rancho California Agricultural Preserve No. 3 was diminished over the years and by October 9, 2008, consisted of portions of lands that are identified with Assessor's Parcel Numbers 943-260-027 and 943-260-024 and a total area of approximately 53.81 acres; and,

WHEREAS, in 2016 Sirah Vineyard Development Corporation owned 240 acres of land located north of Rancho California Road, east of Butterfield Stage Road, south and west of La Serena Way, within the unincorporated area of Riverside County, California, including the portion of Assessor's Parcel Number 943-260-027 ("Property") that is subject to the Land Conservation Contract related to Rancho California Agricultural Preserve No. 3; and,

WHEREAS, on January 28, 2016, Sirah Vineyard Development Corporation, as trustor ("Property Owner"), was granted ownership of the Property, as shown on the Instrument No. 2016-0035063, recorded in the Office of the County Recorder of Riverside County, California. Portions of the Property were subject to Rancho California Agricultural Preserve No. 3; and,

WHEREAS, the Property is further described in **Exhibit A**, which is attached hereto and incorporated herein by reference, which contains the legal description of the Property; and,

WHEREAS, on July 7, 2020, by public hearing, the Riverside County Board of Supervisors adopted Resolution No. 2020-083, attached hereto and incorporated herein as **Exhibit B**, tentatively approving a 43.27 acre diminishment of Rancho California Agricultural Preserve No. 3, Map No. 108 as shown on Map No. 200001 ("APD No. 200001"), issuing a Certificate of Tentative

FORM APPROVED COUNTY COUNSEL
BY *Sarah K. Moore* 5/19/21
DATE
SARAH K. MOORE

1 Cancellation to cancel the associated Land Conservation Contract, and certifying the related
2 cancellation fee of \$454,335.00 ("Cancellation Fee"); and,

3 **WHEREAS**, on August 21, 2020, Resolution No. 2020-083, which includes the
4 Certification of Tentative Cancellation, was recorded against the Property in the official records of
5 the County of Riverside as Document No. 2020-0387300; and,

6 **WHEREAS**, the Property Owner now desires a deferral or extension of the time to pay the
7 Cancellation Fee, in accordance with Section 513(3) of Riverside County Resolution No. 84-526,
8 and Government Code Section 51283(c); and,

9 **WHEREAS**, the Property Owner agrees to pay the Cancellation Fee no later than August
10 20, 2023 and has entered into a corresponding agreement with the County; and,

11 **WHEREAS**, the present use of the Property is open space and any change in land use will
12 occur after the Property Owner obtains and records the final map related to Tentative Parcel Map
13 ("TPM") No. 37667. The final map cannot be recorded until after the Cancellation Fee is paid and
14 all required conditions and contingencies for Resolution No. 2020-083 have been met; and,

15 **WHEREAS**, a public hearing was held on the deferral of the Cancellation Fee by the
16 Riverside County Board of Supervisors on June 8, 2021, in accordance with Government Code
17 Section 51284.

18 **BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the Board of
19 Supervisors of the County of Riverside, State of California, in regular session assembled on May
20 25, 2021, that:

- 21 1. The above recitals are incorporated herein by this reference.
- 22 2. Pursuant to Riverside County Resolution 84-526, Section 513(3) and
23 Government Code Section 51283(c), the Board of Supervisors may extend the
24 time for a property owner to pay the cancellation fee for a Land Conservation
25 Contract contingent upon the future use made of the land and its economic return
26 to the landowner, if all of the following occur:
 - 27 a. It is in the public interest to extend the time for the property owner to pay
28 the cancellation fee.

- b. The cancellation is caused by an involuntary transfer or change in the use which may be made of the land and the land is not immediately suitable, nor will be immediately used, for a purpose which produces a greater economic return to the owner.
- c. The Board of Supervisors has determined that it is in the best interest of the program to conserve agricultural land use that the payment be deferred.
- d. The waiver or extension of time is approved by the Secretary of the Natural Resources Agency.

3. It is in the public interest to defer or extend the time for the Property Owner to pay the Cancellation Fee because the deferral will allow the Property Owner to obtain and record the final map related to Tentative Parcel Map ("TPM") No. 37667; and, thereby, creating legal lots that can support residential uses and potential winery development consistent with and implementing the Riverside County's General Plan Temecula Valley Policy Area and Wine Country – Winery ("WC-W") Zone. This Policy Area was established to protect the region's vinicultural activities, wineries and its incidental commercial uses that promote tourism, large residential estates, and equestrian uses. Additionally, the WC-W Zone development standards requires at least seventy-five (75%) of a winery site to be planted with vineyards. Together, this means a likely increase to the public benefit in changing the use from open space to more active agricultural use with the 75% vineyard requirement. Thus, the other public concerns described substantially outweigh the objectives of the Land Conservation Act of 1965. The development of the site will result in a more contiguous pattern of residential, wineries, and agricultural uses that are encouraged in the Temecula Valley Wine Country Policy Area. The properties directly north and south of the Property are noncontracted lands and are used for agricultural uses, residences and wineries. There is also no proximate

1 noncontracted land which is both available and suitable for the proposed
2 alternative use.

3 4. The cancellation of the Land Conservation Contract, APD No. 200001, was
4 caused by an involuntary transfer or change in the use which may be made of the
5 land, in accordance with Government Code Section 51283(c)(1). Since 1997
6 Pierce's Disease has been spreading through the region destroying both citrus
7 groves and vineyards. According to the Property Owner, the Property was
8 previously changed from an active vineyard to undeveloped open space as a
9 result of Pierce's Disease. Resolution No. 99-369 adopted on August 10, 1999
10 declared a state of emergency in response to the Pierce's Disease outbreak in the
11 area. The Board has continued to renew the state of emergency for Pierce's
12 Disease every 30 days since 1999, with the most recent renewal taking place on
13 April 27, 2021. The presence of Pierce's Disease in the Temecula Valley Wine
14 Region continues to present various challenges for the replanting and growing of
15 vineyards on the Property. As a result of the ongoing presence of Pierce's
16 Disease and the costly process of replanting the vines on the undeveloped
17 Property, the current Property Owner sought the cancellation of the Land
18 Conservation Contract, APD No. 200001.

19 5. The land/Property is not immediately suitable, nor will be immediately used, for
20 a purpose which produces a greater economic return to the owner, in accordance
21 with Government Code Section 51283(c)(1).

22 a. According to the Property Owner, Pierce's Disease has prevented and
23 currently prevents them from producing any economic return from the
24 Property. Pierce's Disease has been spreading through the Temecula
25 Valley Wine Region destroying both citrus groves and vineyards since
26 1997. Based on information provided by the Property Owner, the cost of
27 planting vineyards can be as much as \$25,000.00 to \$30,000.00 per acre
28 and a vineyard does not become productive for approximately three to

1 five years. As a result, a vineyard would not produce an immediate
2 economic return for the Property Owner.

3 b. Additionally, the cancellation of the Land Conservation Contract and
4 recording of the final map for TPM No. 37667, which includes the
5 Property, is only subdividing the Property into 14 legal lots. The
6 subdivision does not include the approval of any land use entitlements or
7 permits for the Property. Any economic benefit from future development
8 will be realized by subsequent third party buyers who may add value to
9 the land through their own entitlement and development, not through the
10 current Property Owner.

11 6. It is in the best interests of the County's Agricultural Preserve program to
12 conserve agricultural land use that the cancellation fee for APD No. 200001
13 be deferred, in accordance with Government Code Section 51283(c)(2). The
14 deferral of the Cancellation Fee is not likely to result in the overall removal
15 of land from agricultural use and any future development related to TPM No.
16 37667 may increase the active agricultural use of the land. Future
17 development of these lots will be subject to the General Plan Temecula
18 Valley Wine Country Policy Area and implemented through the WC-W
19 Zone. This Policy Area was established to protect the region's vinicultural
20 activities, wineries and its incidental commercial uses that promote tourism,
21 large residential estates, and equestrian uses. Additionally, the WC-W Zone
22 development standards requires at least seventy-five (75%) of a winery site
23 to be planted with vineyards. Thus, the location of the Property in the Wine
24 Country Policy Area and WC-W Zone will increase the likelihood of active
25 agricultural use of the Property.

26 7. Therefore, the required findings to grant a deferral or extension of time to pay
27 the cancellation fee for APD No. 200001 have been met in accordance with
28 Government Code Section 51283(c) and final approval is contingent upon the

1 Secretary of the Natural Resources Agency's independent review and
2 approval, in accordance with Government Code Section 51283(c)(3).

3 **BE IT FURTHER RESOLVED** by the Board of Supervisors that, unless the requested
4 deferral is approved by the Secretary of the Natural Resources Agency, the applicant shall comply
5 with all conditions and contingencies specified in Resolution No. 2020-083 prior to issuance of a
6 Certificate of Final Cancellation for APD No. 200001 with respect to the Property. If the Secretary
7 of the Natural Resources Agency approves the deferral of the Cancellation Fee as specified in this
8 resolution, the Cancellation Fee shall be paid on or before August 20, 2023.

9 **BE IT FURTHER RESOLVED** by the Board of Supervisors that if the Cancellation Fee
10 is not paid or a deferral is not approved by the Secretary of the Natural Resources Agency on or
11 before August 20, 2021, the Board requests the Assessor of Riverside County to recompute the
12 cancellation valuation in accordance with Government Code Sections 51283 and 51283.4.

13 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the Clerk of this Board
14 shall file and transmit copies of this resolution to the Director of Conservation of the State of
15 California, the Secretary of the Natural Resources Agency, the Treasurer of Riverside County, and
16 the Assessor of Riverside County.
17

EXHIBIT A

EXHIBIT "A"**LEGAL DESCRIPTION (POR. APN: 943-260-027)**

BEING A PORTION OF PARCEL "D" OF LOT LINE ADJUSTMENT RECORDED MAY 11, 2005 AS INSTRUMENT NO. 2005-0372702, OF OFFICIAL RECORDS, IN THE UNINCORPORATED TERRITORY OF RIVERSIDE COUNTY, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHERLY CORNER OF PARCEL A-17 OF RECORD OF SURVEY FILED IN BOOK 50, PAGES 68 THROUGH 75, INCLUSIVE, OF RECORDS OF SURVEY; THENCE ALONG THE NORTHERLY LINE OF SAID PARCEL "D" THE FOLLOWING THREE COURSES:

- 1) NORTH 84°47'05" EAST 1681.14 FEET;
- 2) SOUTH 72°28'09" EAST 1122.71 FEET;
- 3) NORTH 33°18'15" EAST 205.98 FEET TO A POINT ON A CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 1156.00 FEET, SAID LINE BEING RADIAL TO SAID CURVE, SAID CURVE ALSO BEING THE WESTERLY RIGHT-OF-WAY LINE OF LA SERENA WAY (44.00 FEET HALF WIDTH) AS SHOWN PER SAID LOT LINE ADJUSTMENT NO. 4881; THENCE SOUTHERLY ALONG SAID CURVE 1409.66 FEET THROUGH A CENTRAL ANGLE OF 69°52'06" TO A TANGENT LINE ON SAID RIGHT-OF-WAY; THENCE SOUTH 13°10'21" WEST 89.29 FEET; THENCE DEPARTING SAID RIGHT-OF-WAY LINE NORTH 76°49'39" WEST 6.00 FEET; THENCE NORTH 61°41'10" WEST 482.06 FEET TO A POINT ON A CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 230.00 FEET, SAID LINE BEING RADIAL TO SAID CURVE; THENCE NORTHERLY ALONG SAID CURVE 254.51 FEET THROUGH A CENTRAL ANGLE OF 63°24'04" TO A TANGENT LINE; THENCE NORTH 35°05'14" WEST 277.26 FEET; THENCE SOUTH 55°14'54" WEST 218.81 FEET; THENCE NORTH 34°45'05" WEST 12.50 FEET; THENCE NORTH 55°07'36" WEST 264.27 FEET; THENCE NORTH 78°08'04" WEST 1271.62 FEET; THENCE SOUTH 87°08'55" WEST 274.10 FEET; THENCE SOUTH 68°05'36" WEST 464.60 FEET TO A POINT ON THE EASTERLY LINE OF SAID PARCEL A-17; THENCE ALONG SAID EASTERLY LINE NORTH 35°31'12" WEST 639.40 FEET TO THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINS 43.27 ACRES, MORE OR LESS.

THIS LEGAL DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION.

DOUGLAS W. MASSON, RCE 17706

DATE:



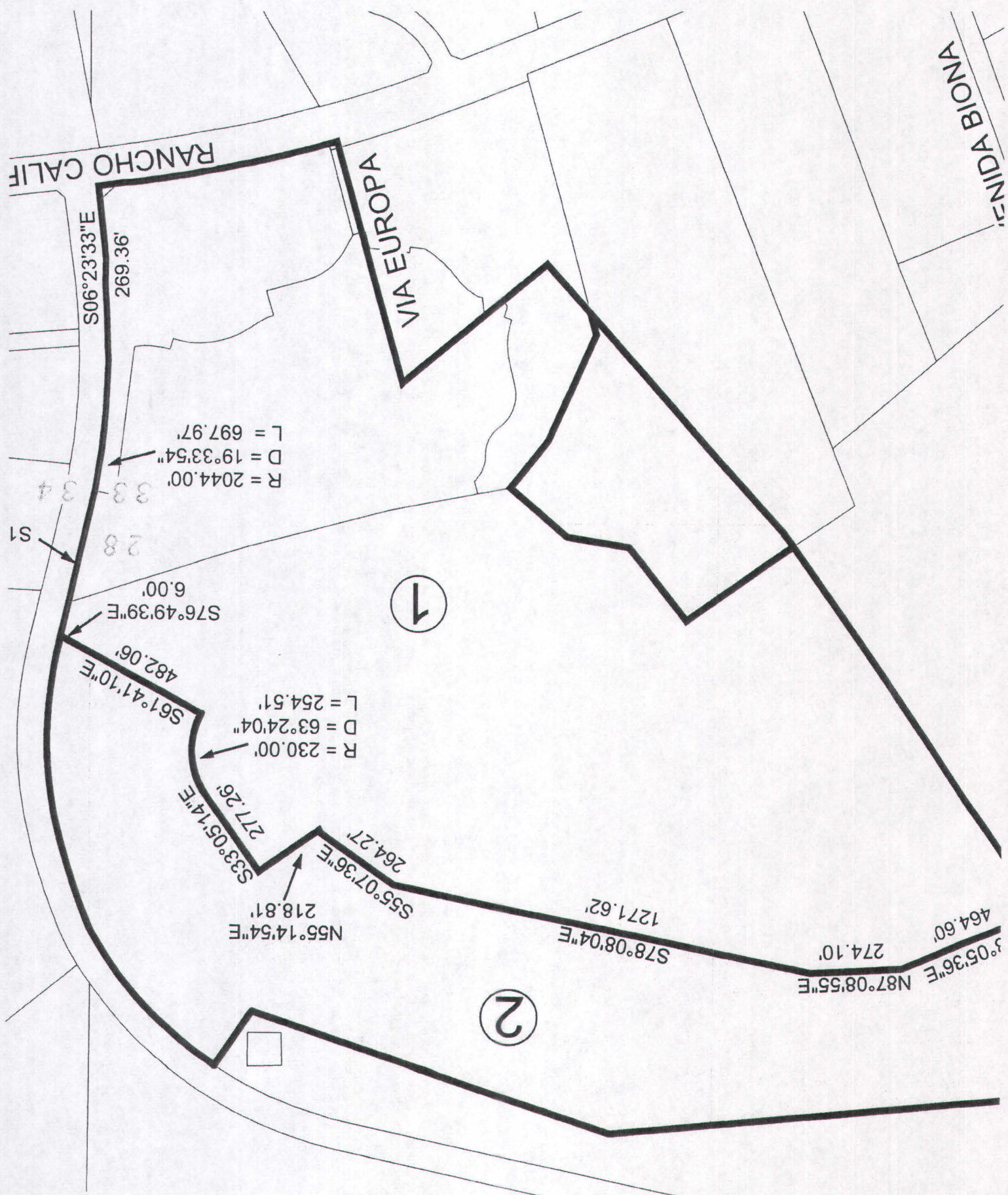


EXHIBIT B

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

KECIA HARPER, 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

2020-0569808

11/16/2020 12:28 PM Fee: \$ 0.00

Page 1 of 12

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



293

THIS SPACE FOR RECORDERS USE ONLY

RESOLUTION NO. 2020-083

Title of Document

**APPROVING AGRICULTURAL PRESERVE CASE NO. 20001 ISSUING CERTIFICATE OF
TENTATIVE CANCELLATION AND DISESTABLISHMENT OF RANCHO CALIFORNIA
AGRICULTURAL PRESERVE NO. 3
(Government Code Section 51283.4)**

(TLMA- Planning Department ~ Item 21.1 of 07/07/2020)

2 **RESOLUTION 2020-083**

3 **APPROVING AGRICULTURAL PRESERVE CASE NO. 20001 ISSUING**
4 **CERTIFICATE OF TENTATIVE CANCELLATION AND DISESTABLISHMENT OF**
5 **RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 3**
6 **(Government Code Section 51283.4)**

ADOPTED by Riverside County Board of Supervisors on July 7, 2020.

7 **ROLL CALL:**

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

11
12
13 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.

14 **KECIA R. HARPER, Clerk of said Board**

15 By: _____

16 Deputy

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23 07.07.2020 21.1
24
25

RESOLUTION NO. 2020-083

**APPROVING AGRICULTURAL PRESERVE CASE NO. 200001
ISSUING CERTIFICATE OF TENTATIVE CANCELLATION AND
DIMINISHMENT OF RANCHO CALIFORNIA
AGRICULTURAL PRESERVE NO. 3**

(Government Code Section 51283.4)

WHEREAS, the Rancho California Agricultural Preserve No. 3 was adopted on August 24, 1970, pursuant to Map No. 108 and originally consisted of 138.85 acres; and,

WHEREAS, Rancho California Agricultural Preserve No. 3, located generally north of Rancho California Road, east of Butterfield Stage Road, and southwest of La Serena Way, originally included lands that, as of August 24, 1970, were identified as Assessor's Parcel Numbers 943-260-003 and 943-100-013; and,

WHEREAS, previous owner Ely R. Callaway, Jr. entered into a Land Conservation Contract pursuant to the Land Conservation Act of 1965 (Government Code section 51200 et seq.) with the County of Riverside for land within Rancho California Agricultural Preserve No. 3, Map No. 108, which was recorded on October 14, 1970 as Instrument No. 103845 in the Office of the County Recorder of Riverside County, California, and took effect on January 1, 1971; and,

WHEREAS, Temecula Vineyards, Ltd., the subsequent property owner of the land subject to the contract, filed a Notice of Non-Renewal on October 9, 2003, which notice was recorded on January 7, 2004 as Instrument No. 2004-0010703 in the Office of the County Recorder of Riverside County, California; and,

WHEREAS, a Land Conservation Contract was executed by Temecula Vineyard Estates, LLC, the subsequent property owner, pursuant to the Land Conservation Act of 1965 (Government Code Section 51200 et seq.), for approximately 43.27 acres of land within the Rancho California Agricultural Preserve No. 3 Map No. 108 as amended by Map No. 930, which was recorded as Instrument No. 2007-0343862 on May 24, 2007, in the Office of the County Recorder of Riverside County, California, and took effect on January 1, 2008; and,

FORM APPROVED COUNTY COUNSEL
BY:  MELISA R. CUSHMAN
DATE: 6/24/2020

1 **WHEREAS**, on October 9, 2008, approximately 85.04 acres was diminished from the
2 Rancho California Agricultural Preserve No. 3 pursuant to Map No. 930. Currently, the Rancho
3 California Agricultural Preserve No. 3 consists of portions of lands that are identified with Assessor's
4 Parcel Numbers 943-260-027 and 943-260-024, a total area that is approximately 53.81 acres; and,

5 **WHEREAS**, in 2016, Sirah Vineyard Development Corporation owned 240 acres of land
6 located north of Rancho California Road, east of Butterfield Stage Road, south and west of La Serena
7 Way, within the unincorporated area of the Riverside County, California, including the portion of
8 Assessor's Parcel Number 943-260-027 ("Property") that is subject to the Land Conservation Contract
9 that is within Rancho California Agricultural Preserve No. 3, Map No. 108 as amended by Map 930; and,

10 **WHEREAS**, on January 28, 2016, Sirah Vineyard Development Corporation, as trustor,
11 was granted ownership of the Property, as shown on the Instrument No. 2016-0035063, recorded in the
12 Office of the County Recorder of Riverside County, California; and,

13 **WHEREAS**, the Property is further described in Exhibit A, which is attached hereto and
14 incorporated herein by reference, which contains the legal description of the Property; and,

15 **WHEREAS**, the total gross acreage of the Property is 43.27 acres; and,

16 **WHEREAS**, Sirah Vineyard Development Corporation ("Property Owner"), the current
17 owner of the Property, filed a Notice of Nonrenewal on February 24, 2020, which notice was recorded on
18 March 2, 2020, as Instrument No. 2020-0095222, in the Office of the County Recorder of Riverside County,
19 California; and,

20 **WHEREAS**, the Property Owner also petitioned to cancel the Land Conservation Contract
21 for the Property and to diminish the 43.27 acres from Rancho California Agricultural Preserve No. 3, as
22 amended by Map No. 930, by removing the Property from the boundaries of the agricultural preserve, which
23 will reduce the Agricultural Preserve to 10.54 acres; and,

24 **WHEREAS**, Agricultural Preserve Case No. 200001 ("APD No. 200001") will diminish
25 Rancho California Agricultural Preserve No. 3 in accordance with the map titled "Map No. 108 Rancho
26 California Agricultural Preserve No. 3, as amended by Map No. 930 and 200001," as shown on Exhibit B,
27 attached hereto and incorporated herein; and,

1 **WHEREAS**, the remaining 10.54 acres of land within Rancho California Agricultural
2 Preserve No. 3 shown on Exhibit B includes the northern portion of property identified with Assessor's
3 Parcel Number 943-260-024, this existing parcel will retain its lot size of 22.08 acres and is not being
4 proposed to be divided at this time; and,

5 **WHEREAS**, all the provisions of the California Environmental Quality Act and the Rules
6 and Regulations Governing Agricultural Preserves in Riverside County, Resolution No. 84-526, have been
7 satisfied, including the preparation of an Addendum to Mitigated Negative Declaration for Environmental
8 Assessment No. 39682;

9 **WHEREAS**, the Property Owner has proposed, if the cancellation is approved, that the land
10 will be used for the following alternative use: portions of lots 4, 12, 13, and 14 of Tentative Parcel Map No.
11 37667 ("TPM No. 37667"). TPM No. 37667 in its entirety proposes to subdivide approximately 290 acres
12 into 14 parcels with a minimum lot size of 20 acres ("Project"). The Schedule "I" Map subdivision is for
13 the division of land only, and the proposed 20-acre lots can support residential uses and, with future
14 entitlements, potential winery development in compliance with the Temecula Valley Policy Area. Of the
15 290 acres included in TPM No. 37667, approximately 43.27 acres is within the Rancho California
16 Agricultural Preserve No. 3; the same area that is included in APD No. 200001 for diminishment. Future
17 development will occur on a parcel-by-parcel basis and will be subject to applicable General Plan policies,
18 zoning classification standards, and land use permits; and,

19 **WHEREAS**, the total amount of the cancellation fee for the Property, pursuant to Section
20 51283.4 of the Government Code, has been determined and certified by the Board of Supervisors to be
21 \$454,335.00; and,

22 **WHEREAS**, a public hearing was held on this matter by the Riverside County Board of
23 Supervisors on July 7, 2020.

24 **BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the Board of
25 Supervisors of the County of Riverside, State of California, in regular session assembled on July 7, 2020,
26 that:

- 27 1. The above recitals are incorporated herein by this reference.
28

- 1 2. The subject parcels affected by the proposed diminishment are included under the Land
2 Conservation Contract.
- 3 3. Pursuant to the Notice of Nonrenewal submitted on February 24, 2020, the Land Conservation
4 Contract on the 43.27 acres will expire on December 31, 2029 (Government Code section 51245
5 and Revenue and Taxation Code section 426(c)).
- 6 4. The cancellation fee was determined by the Riverside County Assessor's Office to be a total of
7 \$454,335.00.
- 8 5. According to the Natural Resource Conservation Service, the Soils Capability Classification as
9 indicated in the USDA Soil Survey for Riverside County indicates that the site is ninety (90)
10 percent within Class III –IV-VI and ten (10) percent within Class VIII.
- 11 6. Tentative Parcel Map No. 37667, which proposes a Schedule "I" Map for the subdivision of
12 approximately 290 acres into 14 parcels with a minimum lot size of 20 acres, constitutes the
13 proposed alternative land use for the area that is the subject of this diminishment and
14 cancellation, in addition to other property being included in the map. Of the 290 acres included
15 in TPM No. 37667, 43.27 acres is within the Rancho California Agricultural Preserve No. 3; this
16 is the same area being proposed to be diminished from the preserve by APD No. 200001. The
17 proposed 20-acre lots can support residential uses and, with future entitlements, potential winery
18 development and its incidental commercial uses in compliance with the Temecula Valley Policy
19 Area. The Project and alternative land use is being processed with this Agricultural Preserve
20 case, along with General Plan Amendment No. 190002 ("GPA No. 190002") and Change of
21 Zone No. 1800023 ("CZ No. 1800023"). GPA No. 190002 is an amendment to the Circulation
22 Element of the Riverside County General Plan to revise the road designation of La Serena Way
23 from a Secondary Highway to a Collector. CZ No. 1800023 will change the site's zoning
24 classification from Citrus/Vineyard –5-acre lot minimum to Wine Country – Winery (WC-W).
25 Future development will occur on a parcel-by-parcel basis and will be subject to General Plan
26 policies, zoning classification standards and land use permits. The proposed alternative land use
27 is consistent with the Riverside County General Plan because the proposed lots can support
28 large-lot residential uses and, with additional entitlements, winery development, either or both

1 of which would be in compliance with the Temecula Valley Wine Country Policy Area, and for
2 the other reasons described in more detail below.

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

- 4 1. The cancellation is for land on which a Notice of Nonrenewal has been
5 served.
- 6 2. The cancellation is not likely to result in the removal of adjacent lands from
7 agricultural use as the Project will not affect the ability to use adjacent lands
8 for agriculture. The properties to the north, east, west, and south are either
9 uncultivated or are under agricultural production that primarily supports the
10 vinicultural activities that are used for this region's wine production. The
11 proposed alternative land use creates large lots of 20 gross acres within the
12 General Plan Temecula Valley Wine Country Policy Area and implemented
13 through the WC-W Zone. The policy area was established to protect the
14 region's vinicultural activities, wineries and its incidental commercial uses,
15 large residential estates, and equestrian uses. The Project site is within the
16 Winery District of the Temecula Valley Wine Country Policy Area, which
17 encourages incidental commercial uses that promote tourist related activities
18 for the wine industry. The WC-W Zone development standards requires at
19 least seventy-five (75%) of a winery site to be planted with vineyards. Based
20 on aerial maps of the vicinity area, the project site is surrounded by a mixture
21 of residential, agricultural, and winery uses and similarity of the existing and
22 proposed uses, which will yield very little possibility that the cancelation of
23 the Land Conservation Contract will result in the removal of any agricultural
24 use. Therefore, this cancellation is not likely to result in the removal of
25 adjacent lands from agricultural uses.
- 26 3. The cancellation is for an alternative use that is consistent with the applicable
27 provisions of the Riverside County General Plan. The project site is located
28 within the Temecula Valley Wine Country Policy Area - Winery District of

1 the Southwest Area Plan (SWAP). The alternative land use for the 43.27
2 acres that is proposed to be diminished from the Agricultural Preserve, is a
3 portion of Tentative Parcel Map No. 37667 is a Schedule "I" Map, which will
4 be for the subdivision of approximately 290 acres into 14 parcels with a
5 minimum lot size of 20 acres. The Policy Area requires a minimum of ten
6 gross acres for subdivisions and encourages the development of wineries and
7 incidental commercial uses. The Schedule "I" subdivision creates lots that
8 meets the minimum lot size and the proposed 20-acre lots can support
9 residential uses and, with future entitlements, potential winery development
10 in compliance with the Temecula Valley Wine Country Policy Area. Future
11 development will occur on a parcel-by-parcel basis and will be subject to the
12 policies of the General Plan and requirements of the Wine Country – Winery
13 Zone. Based upon the above, the cancellation for an alternative use is
14 consistent with the applicable provisions of the Riverside County General
15 Plan.

16 4. The cancellation will not result in discontinuous patterns of urban
17 development because the project site and the surrounding area are within and
18 would remain consistent with the existing General Plan Temecula Valley
19 Wine Country Policy Area. The Policy Area encourages large residential
20 lots, the establishment of wineries and its supporting incidental commercial
21 uses, and other agricultural uses. The project area is surrounded by a mixture
22 of agricultural uses, wineries and residences similar to the uses that the
23 project will provide for in the future subject to the appropriate land use
24 permits; therefore, the existing pattern of development will be maintained and
25 will be contiguous.

26 5. The development of the subject project site will result in more contiguous
27 pattern of residential, wineries, and agricultural uses that are encouraged in
28 the Temecula Valley Wine Country Policy Area. The properties directly

1 north and south of the property are noncontracted lands and are used for
2 agricultural uses, residences and wineries.

3 6. There is no proximate noncontracted land which is both available and suitable
4 for the proposed use.

5 7. Therefore, based on the above, the proposed cancellation is consistent with
6 the purposes of the Land Conservation Act of 1965 (Government Code
7 section 51282 (a) (1)), and as a result, the Board of Supervisors may grant the
8 proposed diminishment.

9 8. The Board of Supervisors has considered the Addendum to the Mitigated
10 Negative Declaration for Environmental Assessment No. 39682 and, based
11 thereon, determined that the proposed Diminishment of Rancho California
12 Agricultural Preserve No. 3 will not have a significant adverse impact upon
13 the environment.

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

- 17 1. The cancellation fee of \$454,335.00 shall be paid;
- 18 2. All conditions necessary for the County to issue grading permits for any portion of
19 Tentative Parcel Map No. 37667 shall have been met; and,
- 20 3. The landowner shall notify the Board of Supervisors when all conditions and
21 contingencies enumerated in this Certificate of Tentative Cancellation have been
22 satisfied with respect to the Land Conservation Contract. Within 30 days of receipt
23 of such notice, and upon determination that the conditions and contingencies have
24 been satisfied, the Board of Supervisors shall cause to be executed and recorded a
25 Certificate of Final Cancellation with respect to the Land Conservation Contract.

26 **BE IT FURTHER RESOLVED** by the Board of Supervisors that upon fulfillment of all of
27 the conditions, the landowners will be entitled to a Certificate of Final Cancellation that provides as follows:
28

- 1 1. Rancho California Agricultural Preserve No. 3, Map No. 108, as adopted on August
2 24, 1970, and as amended by Map No. 930, is further amended by Map No. 200001,
3 deleting therefrom the area shown and described in Exhibit A, attached hereto, being
4 on file in the Office of the Clerk of the Board.
- 5 2. The Land Conservation Contract will be canceled to the extent said contract applies
6 to the land referenced in the petition for cancellation of the aforementioned
7 property owner, thereby removing from the effect of said contract the real property
8 in the County of Riverside, State of California, described in Exhibit A attached
9 hereto.

10 **BE IT FURTHER RESOLVED** by the Board of Supervisors that, if any portion of the
11 cancellation fee of \$454,335.00 is not paid within one year following the recordation of this Certificate of
12 Tentative Cancellation, that portion of the fee shall be recomputed pursuant to Government Code Section
13 51283.4(a), and the applicable landowner shall be required to pay the applicable portion of the
14 recomputed fee as a condition to issuance of a Certificate of Final Cancellation of the Land Conservation
15 Contract.

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

20 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the Clerk of this Board
21 shall file and record copies of this resolution, Property description as shown in Exhibit A and the map
22 titled Map No. 108 Rancho California Agricultural Preserve No. 3 amended by Map No. 930 and 200001
23 as shown on Exhibit B, in the Office of the County Recorder of Riverside County, California, and
24 transmit copies thereof to the Director of Conservation of the State of California, the Treasurer of
25 Riverside County, and the Assessor of Riverside County.

2 **RESOLUTION 2021-110**

3 **RECOMMENDING A DEFERRAL OF THE CANCELLATION FEE FOR**
4 **AGRICULTURAL PRESERVE CASE NO. 200001 RELATED TO THE**
5 **CANCELLATION AND DIMINISHMENT OF RANCHO CALIFORNIA AGRICULTURAL**
6 **PRESERVE NO. 3**
7 **(Government Code Section 51283)**

8 ADOPTED by Riverside County Board of Supervisors on June 8, 2021.

9 **ROLL CALL:**

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

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

15 KECIA R. HARPER, Clerk of said Board

16 By  _____

17 Deputy

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23 06.08.2021 21.4
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EXHIBIT "A"

LEGAL DESCRIPTION (POR. APN: 943-260-027)

BEING A PORTION OF PARCEL "D" OF LOT LINE ADJUSTMENT RECORDED MAY 11, 2005 AS INSTRUMENT NO. 2005-0372702, OF OFFICIAL RECORDS, IN THE UNINCORPORATED TERRITORY OF RIVERSIDE COUNTY, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHERLY CORNER OF PARCEL A-17 OF RECORD OF SURVEY FILED IN BOOK 50, PAGES 68 THROUGH 75, INCLUSIVE, OF RECORDS OF SURVEY; THENCE ALONG THE NORTHERLY LINE OF SAID PARCEL "D" THE FOLLOWING THREE COURSES:

- 1) NORTH 84°47'05" EAST 1681.14 FEET;
- 2) SOUTH 72°28'09" EAST 1122.71 FEET;
- 3) NORTH 33°18'15" EAST 205.98 FEET TO A POINT ON A CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 1156.00 FEET, SAID LINE BEING RADIAL TO SAID CURVE, SAID CURVE ALSO BEING THE WESTERLY RIGHT-OF-WAY LINE OF LA SERENA WAY (44.00 FEET HALF WIDTH) AS SHOWN PER SAID LOT LINE ADJUSTMENT NO. 4881; THENCE SOUTHERLY ALONG SAID CURVE 1409.66 FEET THROUGH A CENTRAL ANGLE OF 69°52'06" TO A TANGENT LINE ON SAID RIGHT-OF-WAY; THENCE SOUTH 13°10'21" WEST 89.29 FEET; THENCE DEPARTING SAID RIGHT-OF-WAY LINE NORTH 76°49'39" WEST 6.00 FEET; THENCE NORTH 61°41'10" WEST 482.06 FEET TO A POINT ON A CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 230.00 FEET, SAID LINE BEING RADIAL TO SAID CURVE; THENCE NORTHERLY ALONG SAID CURVE 254.51 FEET THROUGH A CENTRAL ANGLE OF 63°24'04" TO A TANGENT LINE; THENCE NORTH 35°05'14" WEST 277.26 FEET; THENCE SOUTH 55°14'54" WEST 218.81 FEET; THENCE NORTH 34°45'05" WEST 12.50 FEET; THENCE NORTH 55°07'36" WEST 264.27 FEET; THENCE NORTH 78°08'04" WEST 1271.62 FEET; THENCE SOUTH 87°08'55" WEST 274.10 FEET; THENCE SOUTH 68°05'36" WEST 464.60 FEET TO A POINT ON THE EASTERLY LINE OF SAID PARCEL A-17; THENCE ALONG SAID EASTERLY LINE NORTH 35°31'12" WEST 639.40 FEET TO THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINS 43.27 ACRES, MORE OR LESS.

THIS LEGAL DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION.

DOUGLAS W. MASSON, RCE 17706

DATE:



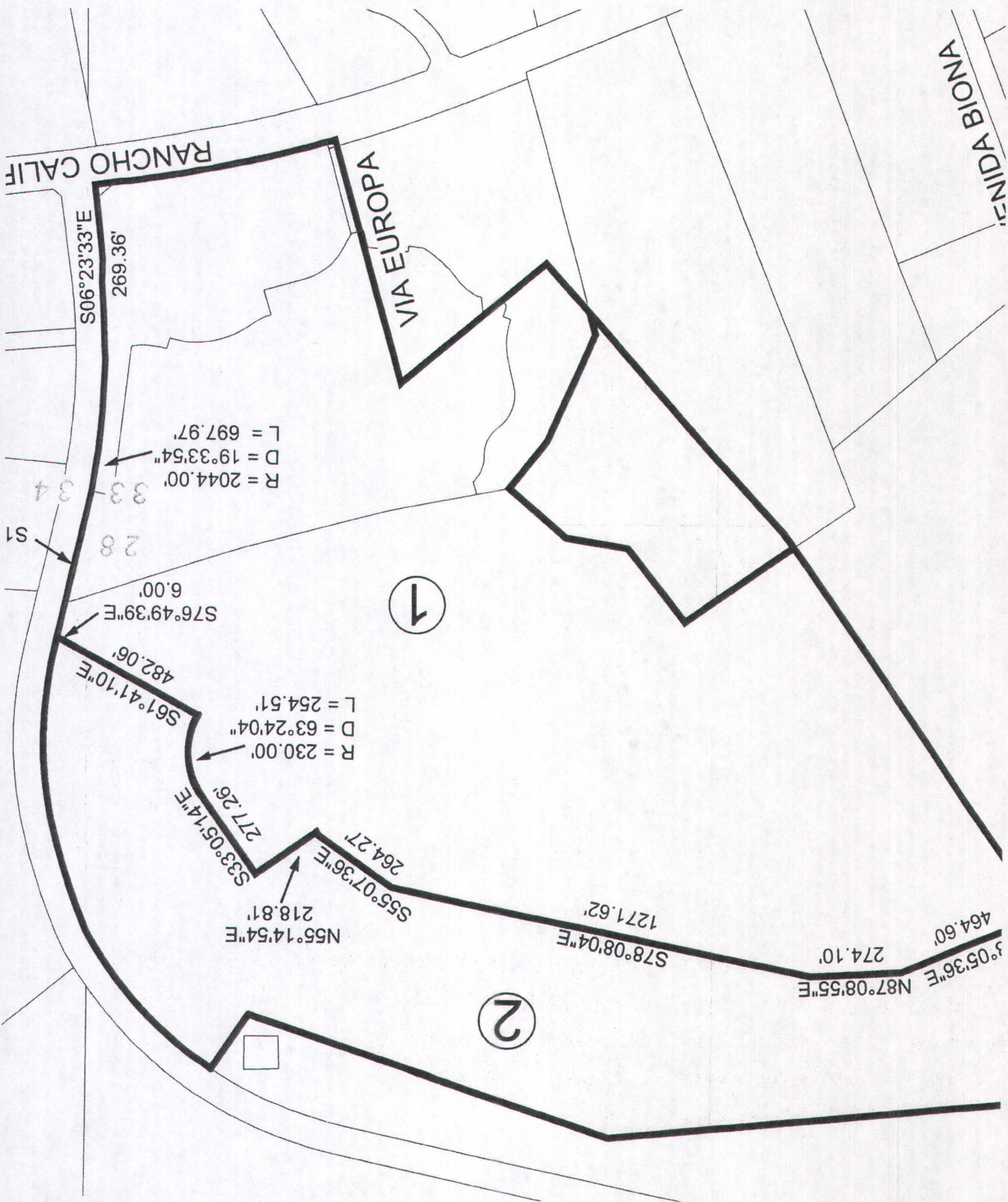


EXHIBIT B

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

KECIA HARPER, 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

2020-0569808

11/16/2020 12:28 PM Fee: \$ 0.00

Page 1 of 12

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



293

THIS SPACE FOR RECORDERS USE ONLY

RESOLUTION NO. 2020-083

Title of Document

**APPROVING AGRICULTURAL PRESERVE CASE NO. 20001 ISSUING CERTIFICATE OF
TENTATIVE CANCELLATION AND DISESTABLISHMENT OF RANCHO CALIFORNIA
AGRICULTURAL PRESERVE NO. 3
(Government Code Section 51283.4)**

(TLMA- Planning Department ~ Item 21.1 of 07/07/2020)

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE
FOR RECORDING INFORMATION

2 **RESOLUTION 2020-083**

3 **APPROVING AGRICULTURAL PRESERVE CASE NO. 20001 ISSUING**
4 **CERTIFICATE OF TENTATIVE CANCELLATION AND DISESTABLISHMENT OF**
5 **RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 3**
6 **(Government Code Section 51283.4)**

7 ADOPTED by Riverside County Board of Supervisors on July 7, 2020.

8 **ROLL CALL:**

9 **Ayes:** Jeffries, Spiegel, Washington, Perez and Hewitt
10 **Nays:** None
11 **Absent:** None

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

15 **KECIA R. HARPER, Clerk of said Board**

16 By: 
17 Deputy

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23 07.07.2020 21.1
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RESOLUTION NO. 2020-083

**APPROVING AGRICULTURAL PRESERVE CASE NO. 200001
ISSUING CERTIFICATE OF TENTATIVE CANCELLATION AND
DIMINISHMENT OF RANCHO CALIFORNIA
AGRICULTURAL PRESERVE NO. 3
(Government Code Section 51283.4)**

WHEREAS, the Rancho California Agricultural Preserve No. 3 was adopted on August 24, 1970, pursuant to Map No. 108 and originally consisted of 138.85 acres; and,

WHEREAS, Rancho California Agricultural Preserve No. 3, located generally north of Rancho California Road, east of Butterfield Stage Road, and southwest of La Serena Way, originally included lands that, as of August 24, 1970, were identified as Assessor's Parcel Numbers 943-260-003 and 943-100-013; and,

WHEREAS, previous owner Ely R. Callaway, Jr. entered into a Land Conservation Contract pursuant to the Land Conservation Act of 1965 (Government Code section 51200 et seq.) with the County of Riverside for land within Rancho California Agricultural Preserve No. 3, Map No. 108, which was recorded on October 14, 1970 as Instrument No. 103845 in the Office of the County Recorder of Riverside County, California, and took effect on January 1, 1971; and,

WHEREAS, Temecula Vineyards, Ltd., the subsequent property owner of the land subject to the contract, filed a Notice of Non-Renewal on October 9, 2003, which notice was recorded on January 7, 2004 as Instrument No. 2004-0010703 in the Office of the County Recorder of Riverside County, California; and,

WHEREAS, a Land Conservation Contract was executed by Temecula Vineyard Estates, LLC, the subsequent property owner, pursuant to the Land Conservation Act of 1965 (Government Code Section 51200 et seq.), for approximately 43.27 acres of land within the Rancho California Agricultural Preserve No. 3 Map No. 108 as amended by Map No. 930, which was recorded as Instrument No. 2007-0343862 on May 24, 2007, in the Office of the County Recorder of Riverside County, California, and took effect on January 1, 2008; and,

FORM APPROVED COUNTY COUNSEL
BY:  MELISSA R. CUSHMAN
DATE: 6/24/2020

1 **WHEREAS**, on October 9, 2008, approximately 85.04 acres was diminished from the
2 Rancho California Agricultural Preserve No. 3 pursuant to Map No. 930. Currently, the Rancho
3 California Agricultural Preserve No. 3 consists of portions of lands that are identified with Assessor's
4 Parcel Numbers 943-260-027 and 943-260-024, a total area that is approximately 53.81 acres; and,

5 **WHEREAS**, in 2016, Sirah Vineyard Development Corporation owned 240 acres of land
6 located north of Rancho California Road, east of Butterfield Stage Road, south and west of La Serena
7 Way, within the unincorporated area of the Riverside County, California, including the portion of
8 Assessor's Parcel Number 943-260-027 ("Property") that is subject to the Land Conservation Contract
9 that is within Rancho California Agricultural Preserve No. 3, Map No. 108 as amended by Map 930; and,

10 **WHEREAS**, on January 28, 2016, Sirah Vineyard Development Corporation, as trustor,
11 was granted ownership of the Property, as shown on the Instrument No. 2016-0035063, recorded in the
12 Office of the County Recorder of Riverside County, California; and,

13 **WHEREAS**, the Property is further described in Exhibit A, which is attached hereto and
14 incorporated herein by reference, which contains the legal description of the Property; and,

15 **WHEREAS**, the total gross acreage of the Property is 43.27 acres; and,

16 **WHEREAS**, Sirah Vineyard Development Corporation ("Property Owner"), the current
17 owner of the Property, filed a Notice of Nonrenewal on February 24, 2020, which notice was recorded on
18 March 2, 2020, as Instrument No. 2020-0095222, in the Office of the County Recorder of Riverside County,
19 California; and,

20 **WHEREAS**, the Property Owner also petitioned to cancel the Land Conservation Contract
21 for the Property and to diminish the 43.27 acres from Rancho California Agricultural Preserve No. 3, as
22 amended by Map No. 930, by removing the Property from the boundaries of the agricultural preserve, which
23 will reduce the Agricultural Preserve to 10.54 acres; and,

24 **WHEREAS**, Agricultural Preserve Case No. 200001 ("APD No. 200001") will diminish
25 Rancho California Agricultural Preserve No. 3 in accordance with the map titled "Map No. 108 Rancho
26 California Agricultural Preserve No. 3, as amended by Map No. 930 and 200001," as shown on Exhibit B,
27 attached hereto and incorporated herein; and,

28

1 **WHEREAS**, the remaining 10.54 acres of land within Rancho California Agricultural
2 Preserve No. 3 shown on Exhibit B includes the northern portion of property identified with Assessor's
3 Parcel Number 943-260-024, this existing parcel will retain its lot size of 22.08 acres and is not being
4 proposed to be divided at this time; and,

5 **WHEREAS**, all the provisions of the California Environmental Quality Act and the Rules
6 and Regulations Governing Agricultural Preserves in Riverside County, Resolution No. 84-526, have been
7 satisfied, including the preparation of an Addendum to Mitigated Negative Declaration for Environmental
8 Assessment No. 39682;

9 **WHEREAS**, the Property Owner has proposed, if the cancellation is approved, that the land
10 will be used for the following alternative use: portions of lots 4, 12, 13, and 14 of Tentative Parcel Map No.
11 37667 ("TPM No. 37667"). TPM No. 37667 in its entirety proposes to subdivide approximately 290 acres
12 into 14 parcels with a minimum lot size of 20 acres ("Project"). The Schedule "T" Map subdivision is for
13 the division of land only, and the proposed 20-acre lots can support residential uses and, with future
14 entitlements, potential winery development in compliance with the Temecula Valley Policy Area. Of the
15 290 acres included in TPM No. 37667, approximately 43.27 acres is within the Rancho California
16 Agricultural Preserve No. 3; the same area that is included in APD No. 200001 for diminishment. Future
17 development will occur on a parcel-by-parcel basis and will be subject to applicable General Plan policies,
18 zoning classification standards, and land use permits; and,

19 **WHEREAS**, the total amount of the cancellation fee for the Property, pursuant to Section
20 51283.4 of the Government Code, has been determined and certified by the Board of Supervisors to be
21 \$454,335.00; and,

22 **WHEREAS**, a public hearing was held on this matter by the Riverside County Board of
23 Supervisors on July 7, 2020.

24 **BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the Board of
25 Supervisors of the County of Riverside, State of California, in regular session assembled on July 7, 2020,
26 that:

- 27 1. The above recitals are incorporated herein by this reference.

- 1 2. The subject parcels affected by the proposed diminishment are included under the Land
2 Conservation Contract.
- 3 3. Pursuant to the Notice of Nonrenewal submitted on February 24, 2020, the Land Conservation
4 Contract on the 43.27 acres will expire on December 31, 2029 (Government Code section 51245
5 and Revenue and Taxation Code section 426(c)).
- 6 4. The cancellation fee was determined by the Riverside County Assessor's Office to be a total of
7 \$454,335.00.
- 8 5. According to the Natural Resource Conservation Service, the Soils Capability Classification as
9 indicated in the USDA Soil Survey for Riverside County indicates that the site is ninety (90)
10 percent within Class III –IV-VI and ten (10) percent within Class VIII.
- 11 6. Tentative Parcel Map No. 37667, which proposes a Schedule "I" Map for the subdivision of
12 approximately 290 acres into 14 parcels with a minimum lot size of 20 acres, constitutes the
13 proposed alternative land use for the area that is the subject of this diminishment and
14 cancellation, in addition to other property being included in the map. Of the 290 acres included
15 in TPM No. 37667, 43.27 acres is within the Rancho California Agricultural Preserve No. 3; this
16 is the same area being proposed to be diminished from the preserve by APD No. 200001. The
17 proposed 20-acre lots can support residential uses and, with future entitlements, potential winery
18 development and its incidental commercial uses in compliance with the Temecula Valley Policy
19 Area. The Project and alternative land use is being processed with this Agricultural Preserve
20 case, along with General Plan Amendment No. 190002 ("GPA No. 190002") and Change of
21 Zone No. 1800023 ("CZ No. 1800023"). GPA No. 190002 is an amendment to the Circulation
22 Element of the Riverside County General Plan to revise the road designation of La Serena Way
23 from a Secondary Highway to a Collector. CZ No. 1800023 will change the site's zoning
24 classification from Citrus/Vineyard –5-acre lot minimum to Wine Country – Winery (WC-W).
25 Future development will occur on a parcel-by-parcel basis and will be subject to General Plan
26 policies, zoning classification standards and land use permits. The proposed alternative land use
27 is consistent with the Riverside County General Plan because the proposed lots can support
28 large-lot residential uses and, with additional entitlements, winery development, either or both

1 of which would be in compliance with the Temecula Valley Wine Country Policy Area, and for
2 the other reasons described in more detail below.

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

- 4 1. The cancellation is for land on which a Notice of Nonrenewal has been
5 served.
- 6 2. The cancellation is not likely to result in the removal of adjacent lands from
7 agricultural use as the Project will not affect the ability to use adjacent lands
8 for agriculture. The properties to the north, east, west, and south are either
9 uncultivated or are under agricultural production that primarily supports the
10 vinicultural activities that are used for this region's wine production. The
11 proposed alternative land use creates large lots of 20 gross acres within the
12 General Plan Temecula Valley Wine Country Policy Area and implemented
13 through the WC-W Zone. The policy area was established to protect the
14 region's vinicultural activities, wineries and its incidental commercial uses,
15 large residential estates, and equestrian uses. The Project site is within the
16 Winery District of the Temecula Valley Wine Country Policy Area, which
17 encourages incidental commercial uses that promote tourist related activities
18 for the wine industry. The WC-W Zone development standards requires at
19 least seventy-five (75%) of a winery site to be planted with vineyards. Based
20 on aerial maps of the vicinity area, the project site is surrounded by a mixture
21 of residential, agricultural, and winery uses and similarity of the existing and
22 proposed uses, which will yield very little possibility that the cancelation of
23 the Land Conservation Contract will result in the removal of any agricultural
24 use. Therefore, this cancellation is not likely to result in the removal of
25 adjacent lands from agricultural uses.
- 26 3. The cancellation is for an alternative use that is consistent with the applicable
27 provisions of the Riverside County General Plan. The project site is located
28 within the Temecula Valley Wine Country Policy Area - Winery District of

1 the Southwest Area Plan (SWAP). The alternative land use for the 43.27
2 acres that is proposed to be diminished from the Agricultural Preserve, is a
3 portion of Tentative Parcel Map No. 37667 is a Schedule "I" Map, which will
4 be for the subdivision of approximately 290 acres into 14 parcels with a
5 minimum lot size of 20 acres. The Policy Area requires a minimum of ten
6 gross acres for subdivisions and encourages the development of wineries and
7 incidental commercial uses. The Schedule "I" subdivision creates lots that
8 meets the minimum lot size and the proposed 20-acre lots can support
9 residential uses and, with future entitlements, potential winery development
10 in compliance with the Temecula Valley Wine Country Policy Area. Future
11 development will occur on a parcel-by-parcel basis and will be subject to the
12 policies of the General Plan and requirements of the Wine Country – Winery
13 Zone. Based upon the above, the cancellation for an alternative use is
14 consistent with the applicable provisions of the Riverside County General
15 Plan.

- 16 4. The cancellation will not result in discontinuous patterns of urban
17 development because the project site and the surrounding area are within and
18 would remain consistent with the existing General Plan Temecula Valley
19 Wine Country Policy Area. The Policy Area encourages large residential
20 lots, the establishment of wineries and its supporting incidental commercial
21 uses, and other agricultural uses. The project area is surrounded by a mixture
22 of agricultural uses, wineries and residences similar to the uses that the
23 project will provide for in the future subject to the appropriate land use
24 permits; therefore, the existing pattern of development will be maintained and
25 will be contiguous.
- 26 5. The development of the subject project site will result in more contiguous
27 pattern of residential, wineries, and agricultural uses that are encouraged in
28 the Temecula Valley Wine Country Policy Area. The properties directly

1 north and south of the property are noncontracted lands and are used for
2 agricultural uses, residences and wineries.

3 6. There is no proximate noncontracted land which is both available and suitable
4 for the proposed use.

5 7. Therefore, based on the above, the proposed cancellation is consistent with
6 the purposes of the Land Conservation Act of 1965 (Government Code
7 section 51282 (a) (1)), and as a result, the Board of Supervisors may grant the
8 proposed diminishment.

9 8. The Board of Supervisors has considered the Addendum to the Mitigated
10 Negative Declaration for Environmental Assessment No. 39682 and, based
11 thereon, determined that the proposed Diminishment of Rancho California
12 Agricultural Preserve No. 3 will not have a significant adverse impact upon
13 the environment.

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

- 17 1. The cancellation fee of \$454,335.00 shall be paid;
- 18 2. All conditions necessary for the County to issue grading permits for any portion of
19 Tentative Parcel Map No. 37667 shall have been met; and,
- 20 3. The landowner shall notify the Board of Supervisors when all conditions and
21 contingencies enumerated in this Certificate of Tentative Cancellation have been
22 satisfied with respect to the Land Conservation Contract. Within 30 days of receipt
23 of such notice, and upon determination that the conditions and contingencies have
24 been satisfied, the Board of Supervisors shall cause to be executed and recorded a
25 Certificate of Final Cancellation with respect to the Land Conservation Contract.

26 **BE IT FURTHER RESOLVED** by the Board of Supervisors that upon fulfillment of all of
27 the conditions, the landowners will be entitled to a Certificate of Final Cancellation that provides as follows:
28

- 1 1. Rancho California Agricultural Preserve No. 3, Map No. 108, as adopted on August
2 24, 1970, and as amended by Map No. 930, is further amended by Map No. 200001,
3 deleting therefrom the area shown and described in Exhibit A, attached hereto, being
4 on file in the Office of the Clerk of the Board.
- 5 2. The Land Conservation Contract will be canceled to the extent said contract applies
6 to the land referenced in the petition for cancellation of the aforementioned
7 property owner, thereby removing from the effect of said contract the real property
8 in the County of Riverside, State of California, described in Exhibit A attached
9 hereto.

10 **BE IT FURTHER RESOLVED** by the Board of Supervisors that, if any portion of the
11 cancellation fee of \$454,335.00 is not paid within one year following the recordation of this Certificate of
12 Tentative Cancellation, that portion of the fee shall be recomputed pursuant to Government Code Section
13 51283.4(a), and the applicable landowner shall be required to pay the applicable portion of the
14 recomputed fee as a condition to issuance of a Certificate of Final Cancellation of the Land Conservation
15 Contract.

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

20 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the Clerk of this Board
21 shall file and record copies of this resolution, Property description as shown in Exhibit A and the map
22 titled Map No. 108 Rancho California Agricultural Preserve No. 3 amended by Map No. 930 and 200001
23 as shown on Exhibit B, in the Office of the County Recorder of Riverside County, California, and
24 transmit copies thereof to the Director of Conservation of the State of California, the Treasure of
25 Riverside County, and the Assessor of Riverside County.

EXHIBIT "A"**LEGAL DESCRIPTION (POR. APN: 943-260-027)**

BEING A PORTION OF PARCEL "D" OF LOT LINE ADJUSTMENT RECORDED MAY 11, 2005 AS INSTRUMENT NO. 2005-0372702, OF OFFICIAL RECORDS, IN THE UNINCORPORATED TERRITORY OF RIVERSIDE COUNTY, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHERLY CORNER OF PARCEL A-17 OF RECORD OF SURVEY FILED IN BOOK 50, PAGES 68 THROUGH 75, INCLUSIVE, OF RECORDS OF SURVEY; THENCE ALONG THE NORTHERLY LINE OF SAID PARCEL "D" THE FOLLOWING THREE COURSES:

- 1) NORTH 84°47'05" EAST 1681.14 FEET;
- 2) SOUTH 72°28'09" EAST 1122.71 FEET;
- 3) NORTH 33°18'15" EAST 205.98 FEET TO A POINT ON A CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 1156.00 FEET, SAID LINE BEING RADIAL TO SAID CURVE, SAID CURVE ALSO BEING THE WESTERLY RIGHT-OF-WAY LINE OF LA SERENA WAY (44.00 FEET HALF WIDTH) AS SHOWN PER SAID LOT LINE ADJUSTMENT NO. 4881; THENCE SOUTHERLY ALONG SAID CURVE 1409.66 FEET THROUGH A CENTRAL ANGLE OF 69°52'06" TO A TANGENT LINE ON SAID RIGHT-OF-WAY; THENCE SOUTH 13°10'21" WEST 89.29 FEET; THENCE DEPARTING SAID RIGHT-OF-WAY LINE NORTH 76°49'39" WEST 6.00 FEET; THENCE NORTH 61°41'10" WEST 482.06 FEET TO A POINT ON A CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 230.00 FEET, SAID LINE BEING RADIAL TO SAID CURVE; THENCE NORTHERLY ALONG SAID CURVE 254.51 FEET THROUGH A CENTRAL ANGLE OF 63°24'04" TO A TANGENT LINE; THENCE NORTH 35°05'14" WEST 277.26 FEET; THENCE SOUTH 55°14'54" WEST 218.81 FEET; THENCE NORTH 34°45'05" WEST 12.50 FEET; THENCE NORTH 55°07'36" WEST 264.27 FEET; THENCE NORTH 78°08'04" WEST 1271.62 FEET; THENCE SOUTH 87°08'55" WEST 274.10 FEET; THENCE SOUTH 68°05'36" WEST 464.60 FEET TO A POINT ON THE EASTERLY LINE OF SAID PARCEL A-17; THENCE ALONG SAID EASTERLY LINE NORTH 35°31'12" WEST 639.40 FEET TO THE POINT OF BEGINNING.

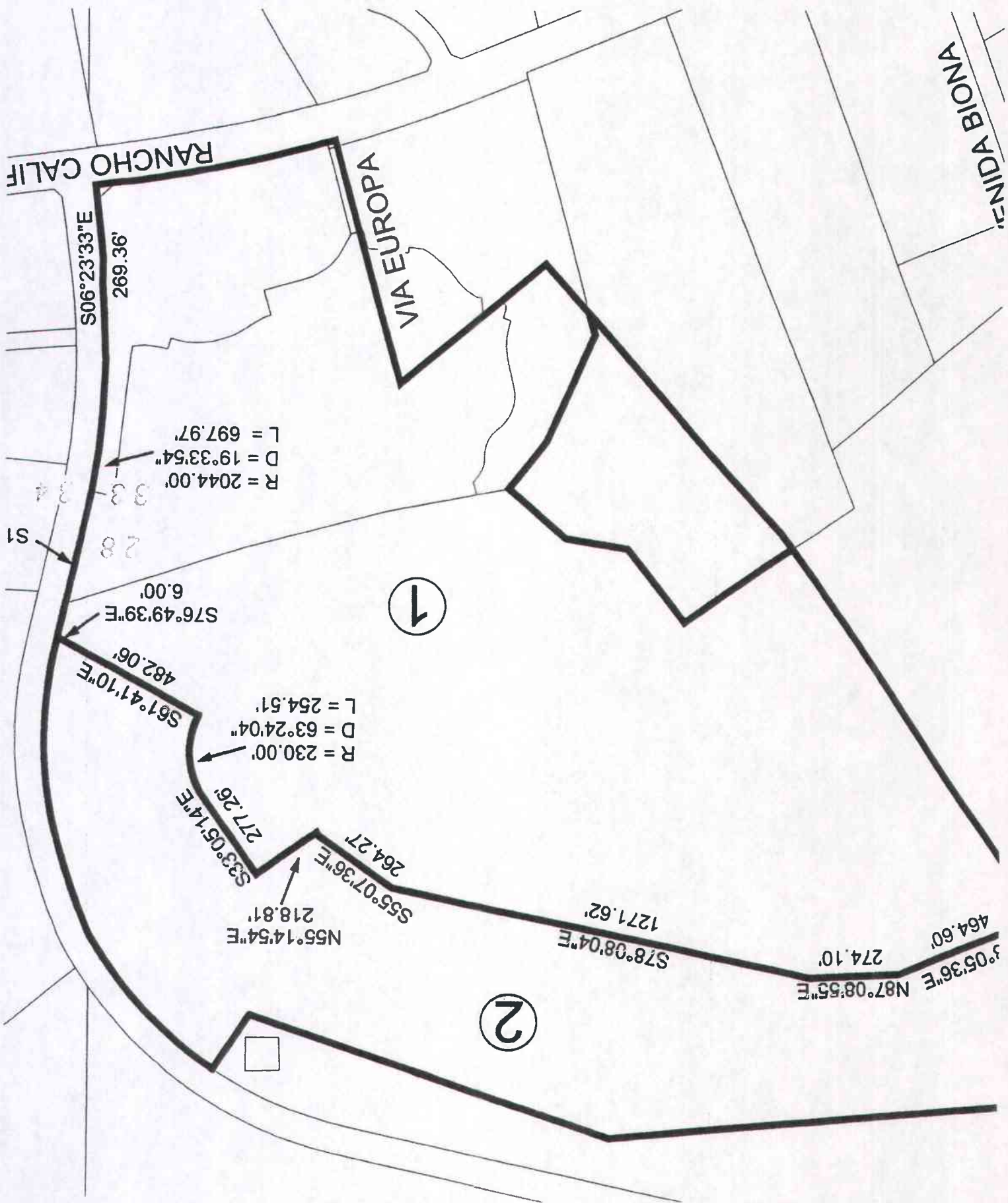
SAID PARCEL CONTAINS 43.27 ACRES, MORE OR LESS.

THIS LEGAL DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION.

DOUGLAS W. MASSON, RCE 17706

DATE:





Board of Supervisors

County of Riverside

RESOLUTION NO. 2021-111

**RECOMMENDING A DEFERRAL OF THE CANCELLATION FEE FOR
AGRICULTURAL PRESERVE CASE NO. 200002**

**RELATED TO THE CANCELLATION AND DISESTABLISHMENT OF
RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 35**

(Government Code Section 51283)

WHEREAS, the Rancho California Agricultural Preserve No. 35 was established on April 27, 1982, pursuant to Map No. 547 and originally consisted of 152.9 acres; and,

WHEREAS, Rancho California Agricultural Preserve No. 35 was diminished over the years and by September 30, 2008, consisted of portions of lands that are identified with Assessor's Parcel Numbers 943-260-027 and 943-070-003 and a total gross area of approximately 82.73 acres ("Property"); and,

WHEREAS, in 2016 Sirah Vineyard Development Corporation owned 240 acres of land located north of Rancho California Road, east of Butterfield Stage Road, south and west of La Serena Way, within the unincorporated area of Riverside County, California, including portions of lands that are identified with Assessor's Parcel Numbers 943-260-027 and 943-070-003 ("Property") that is subject to the Land Conservation Contract located within Rancho California Agricultural Preserve No. 35; and,

WHEREAS, on January 28, 2016, Sirah Vineyard Development Corporation, as trustor, was granted ownership of the Property, as shown on the Instrument No. 2016-0035063, recorded in the Office of the County Recorder of Riverside County, California; and,

WHEREAS, the Property is further described in **Exhibit A**, which is attached hereto and incorporated herein by reference, which contains the legal description of the Property; and,

WHEREAS, on July 7, 2020, by public hearing, the Riverside County Board of Supervisors adopted Resolution No. 2020-084, attached hereto and incorporated herein as **Exhibit B**, tentatively approving the disestablishment of Agricultural Preserve No. 35 Map No. 547, as shown on Map No. 200002 ("APD No. 200002"), issuing a Certificate of Tentative Cancellation for the associated Land Conservation Contract, and certifying the related cancellation fee of \$868,665.00 ("Cancellation Fee"); and,

JUN 08 2021 21.4

FORM APPROVED COUNTY COUNSEL
BY *Sarah K. Moore* 5/19/21
DATE
SARAH K. MOORE

1 **WHEREAS**, on August 21, 2020, Resolution No. 2020-084, which includes the Certificate of
2 Tentative Cancellation, was recorded against the Property in the Official Records of the County of Riverside
3 as Document No. 2020-0387299; and,

4 **WHEREAS**, the Property Owner now desires a deferral or extension of the time in order to pay the
5 Cancellation Fee, in accordance with Section 513(3) of Riverside County Resolution 84-526 and
6 Government Code Section 51283(c); and,

7 **WHEREAS**, the Property Owner agrees to pay the Cancellation Fee no later than August 20, 2023
8 and has entered into a corresponding agreement with the County; and,

9 **WHEREAS**, the present use of the Property is open space and any change in land use will occur
10 after the Property Owner obtains and records the final map related to Tentative Parcel Map ("TPM") No.
11 37667. The final map cannot be recorded until after the Cancellation Fee is paid and all required conditions
12 and contingencies for Resolution No. 2020-083 have been met; and,

13 **WHEREAS**, a public hearing was held on the deferral of the Cancellation Fee by the Riverside
14 County Board of Supervisors on June 8, 2021, in accordance with Government Code Section 51284.

15 **BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the Board of Supervisors
16 of the County of Riverside, State of California, in regular session assembled on May 25, 2021, that:

- 17 1. The above recitals are incorporated herein by this reference.
- 18 2. Pursuant to Riverside County Resolution 84-526, Section 513(3) and Government Code
19 Section 51283(c), the Board of Supervisors may extend the time for a property owner to
20 pay the cancellation fee for a Land Conservation Contract contingent upon the future use
21 made of the land and its economic return to the landowner, if all of the following occur:
- 22 a. It is in the public interest to extend the time for the property owner to pay the
23 cancellation fee.
- 24 b. The cancellation is caused by an involuntary transfer or change in the use which
25 may be made of the land and the land is not immediately suitable, nor will be
26 immediately used, for a purpose which produces a greater economic return to the
27 owner.
- 28

1 c. The Board of Supervisors has determined that it is in the best interests of the
2 program to conserve agricultural land use that the payment be deferred.

3 d. The waiver or extension of time is approved by the Secretary of the Natural
4 Resources Agency.

5 3. It is in the public interest to defer or extend the time for the Property Owner to pay the
6 Cancellation Fee because the deferral will allow the Property Owner to obtain and record
7 the final map related to Tentative Parcel Map ("TPM") No. 37667; and, thereby, creating
8 legal lots that can support residential uses and potential winery development consistent
9 with and implement the Riverside County's General Plant Temecula Valley Policy Area
10 and Wine Country – Winery ("WC-W") Zone. This Policy Area was established to
11 protect the region's vinicultural activities, wineries and its incidental commercial uses
12 that promote tourism, large residential estates, and equestrian uses. Additionally, the
13 WC-W Zone development standards requires at least seventy-five (75%) of a winery site
14 to be planted with vineyards. Together, this means a likely increase to the public benefit
15 in changing the use from open space to more active agricultural use with the 75%
16 vineyard requirement. Thus, the other public concerns described substantially outweigh
17 the objectives of the Land Conservation Act of 1965. The development of the site will
18 result in a more contiguous pattern of residential, wineries, and agricultural uses that are
19 encouraged in the Temecula Valley Wine Country Policy Area. The properties directly
20 north and south of the Property are noncontracted lands and are used for agricultural
21 uses, residences and wineries. There is also no proximate noncontracted land which is
22 both available and suitable for the proposed alternative use.

23 4. The cancellation of the Land Conservation Contract for APD No. 200002 was caused by
24 an involuntary transfer or change in the use which may be made of the land, in
25 accordance with Government Code Section 51283(c)(1). Since 1997, Pierce's Disease
26 has been spreading through the Temecula Valley Wine Region destroying both citrus
27 groves and vineyards. According to the Property Owner, the Property was previously
28 changed from an active vineyard to undeveloped open space as a result of Pierce's

1 Disease. Resolution No. 99-369 adopted on August 10, 1999 declared a state of
2 emergency in response to the Pierce's Disease outbreak in the area. The Board has
3 continued to renew the state of emergency for Pierce's Disease every 30 days since 1999,
4 with the most recent renewal taking place on April 27 2021. The presence of Pierce's
5 Disease in the Temecula Valley Wine Region continues to present various challenges for
6 the replanting and growing of vineyards on the Property. As a result of the ongoing
7 presence of Pierce's Disease and the costly process of replanting the vines on the
8 undeveloped Property, the current Property Owner sought the cancellation of the Land
9 Conservation Contract, APD No. 200002.

10 5. The land/Property is not immediately suitable, nor will be immediately used, for a
11 purpose which produces a greater economic return to the owner, in accordance with
12 Government Code Section 51283(c)(1).

13 a. According to the Property Owner, Pierce's Disease has prevented and currently
14 prevents them from producing any economic return from the Property. Pierce's
15 Disease has been spreading through the Temecula Valley Wine Region
16 destroying both citrus groves and vineyards since 1997. Based on information
17 provided by the Property Owner, the cost of planting vineyards can be as much
18 as \$25,000.00 to \$30,000.00 per acre and a vineyard does not become productive
19 for approximately three to five years. As a result, a vineyard would not produce
20 an immediate economic return for the Property Owner.

21 b. Additionally, the cancellation of the Land Conservation Contract and recording
22 of the future final map for TPM No. 37667, which includes the Property, is only
23 subdividing the Property into 14 legal lots. The subdivision does not include the
24 approval of any land use entitlements or permits for the Property. Any economic
25 benefit from future development will be realized by subsequent third party buyers
26 who may add value to the land through their own entitlement and development,
27 not through the current Property Owner.

1 6. It is in the best interests of the County's Agricultural Preserve program to conserve
2 agricultural land use that the cancellation fee for APD No. 200002 be deferred, in
3 accordance with Government Code Section 51283(c)(2). The deferral of the
4 Cancellation Fee is not likely to result in the overall removal of land from agricultural
5 use and any future development related to TPM No. 37667 may increase the active
6 agricultural use of the land. Future development of these lots will be subject to the
7 General Plan Temecula Valley Wine Country Policy Area and implemented through
8 the WC-W Zone. This Policy Area was established to protect the region's
9 vinicultural activities, wineries and its incidental commercial uses that promote
10 tourism, large residential estates, and equestrian uses. Additionally, the WC-W Zone
11 development standards requires at least seventy-five (75%) of a winery site to be
12 planted with vineyards. Thus, the location of the Property in the Wine Country
13 Policy Area and WC-W Zone will increase the likelihood of active agricultural use
14 of the Property.

15 7. Therefore, the required findings to grant a deferral or extension of time to pay the
16 cancellation fee for APD No. 200002 have been met in accordance with Government
17 Code Section 51283(c) and final approval is contingent upon the Secretary of the
18 Natural Resources Agency's independent review and approval, in accordance with
19 Government Code Section 51283(c)(3).

20 **BE IT FURTHER RESOLVED** by the Board of Supervisors that, unless the requested deferral is
21 approved by the Secretary of the Natural Resources Agency, the applicant shall comply with all conditions
22 and contingencies specified in Resolution No. 2020-084 prior to issuance of a Certificate of Final
23 Cancellation for APD No. 200002 with respect to the Property. If the Secretary of the Natural Resources
24 Agency approves the deferral of the Cancellation Fee as specified in this resolution, the Cancellation Fee
25 shall be paid on or before August 20, 2023.

26 **BE IT FURTHER RESOLVED** by the Board of Supervisors that if the Cancellation Fee is not
27 paid or a deferral is not approved by the Secretary of the Natural Resources Agency on or before August
28

1 20, 2021, the Board requests the Assessor of Riverside County to recompute the cancellation valuation in
2 accordance with Government Code Sections 51283 and 51283.4.

3 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the Clerk of this Board shall file
4 and transmit copies of this resolution to the Director of Conservation of the State of California, the Secretary
5 of the Natural Resources Agency, the Treasurer of Riverside County, and the Assessor of Riverside County.
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2 **RESOLUTION 2021-111**

3 **RECOMMENDING A DEFERRAL OF THE CANCELLATION FEE FOR**
4 **AGRICULTURAL PRESERVE CASE NO. 200002 RELATED TO THE**
5 **CANCELLATION AND DISESTABLISHMENT OF RANCHO CALIFORNIA**
6 **AGRICULTURAL PRESERVE NO. 35**
7 **(Government Code Section 51283)**

8 ADOPTED by Riverside County Board of Supervisors on June 8, 2021.

9 **ROLL CALL:**

10 **Ayes:** Jeffries, Spiegel, Washington, Perez and Hewitt
11 **Nays:** None
12 **Absent:** None

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

15 KECIA R. HARPER, Clerk of said Board

16 By:  _____

Deputy

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EXHIBIT A

EXHIBIT "A"

LEGAL DESCRIPTION (POR. APN: 943-070-003)

BEING A PORTION OF PARCEL A-18 OF RECORD OF SURVEY FILED IN BOOK 50, PAGES 68 THROUGH 75, INCLUSIVE, IN THE UNINCORPORATED TERRITORY OF RIVERSIDE COUNTY, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHERLY CORNER OF PARCEL A-17 OF SAID RECORD OF SURVEY; THENCE ALONG THE NORTHERLY LINE THEREOF, SAID LINE ALSO BEING THE NORTHERLY LINE OF PARCEL "D" PER LLA 4881, RECORDED MAY 11, 2005 AS INSTRUMENT NO. 2005-0372702, OF OFFICIAL RECORDS, SOUTH 79°17'59" WEST 1945.51 FEET TO A POINT ON A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 4645.00 FEET, A RADIAL LINE TO SAID POINT BEARS, SOUTH 83°03'51" WEST, SAID POINT FURTHER BEING A POINT ON THE EASTERLY LINE OF THAT CERTAIN 100 FOOT WIDE LAND CONSERVATION EASEMENT, RECORDED SEPTEMBER 30, 1981 AS INSTRUMENT NO. 184498, OF OFFICIAL RECORDS; THENCE NORTHERLY ALONG SAID CURVE 571.48 FEET THROUGH A CENTRAL ANGLE OF 07°02'57" TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF LA SERENA WAY (BEING 44.00 FEET HALF WIDTH), A RADIAL LINE TO SAID POINT BEARS, NORTH 89°53'12" WEST; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, NORTH 85°48'21" EAST 1925.17 FEET; THENCE DEPARTING SAID LINE SOUTH 04°11'40" EAST 350.62 FEET TO THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINS 20.48 ACRES, MORE OR LESS.

THIS LEGAL DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION.

DOUGLAS W. MASSON, RCE 17706

DATE:



EXHIBIT "A"**LEGAL DESCRIPTION (POR. APN: 943-260-027)**

BEING A PORTION OF PARCEL "D" OF LOT LINE ADJUSTMENT RECORDED MAY 11, 2005 AS INSTRUMENT NO. 2005-0372702, OF OFFICIAL RECORDS, IN THE UNINCORPORATED TERRITORY OF RIVERSIDE COUNTY, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHERLY CORNER OF PARCEL A-17 OF RECORD OF SURVEY FILED IN BOOK 50, PAGES 68 THROUGH 75, INCLUSIVE, OF RECORDS OF SURVEY; THENCE ALONG THE EASTERLY LINE OF SAID PARCEL A-17, SOUTH 35°31'12" EAST 639.40 FEET; THENCE DEPARTING SAID EASTERLY LINE, SOUTH 68°05'36" WEST 266.32 FEET; THENCE NORTH 89°40'20" WEST 725.36 FEET; THENCE SOUTH 76°21'12" WEST 442.82 FEET; THENCE SOUTH 21°57'01" EAST 357.76 FEET; THENCE SOUTH 05°08'18" WEST 494.49 FEET; THENCE SOUTH 44°59'11" EAST 434.13 FEET; THENCE SOUTH 07°46'16" EAST 183.59 FEET; THENCE NORTH 82°13'44" EAST 190.80 FEET; THENCE SOUTH 07°46'16" EAST 276.12 FEET; THENCE SOUTH 15°31'54" WEST 541.17 FEET; THENCE SOUTH 38°38'38" EAST 240.01 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF SAID PARCEL A-15; THENCE ALONG SAID SOUTHEASTERLY LINE SOUTH 51°21'22" WEST 225.38 FEET TO A POINT ON THE EASTERLY LINE OF THAT CERTAIN 100 FOOT WIDE LAND CONSERVATION EASEMENT, RECORDED SEPTEMBER 30, 1981 AS INSTRUMENT NO. 184498, OF OFFICIAL RECORDS; THENCE ALONG SAID EASTERLY LINE THE FOLLOWING TWO (2) COURSES:

- 1) NORTH 41°40'06" WEST 324.50 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 4645.00 FEET;
- 2) NORTHERLY ALONG SAID CURVE 2815.78 FEET THROUGH A CENTRAL ANGLE OF 34°43'57" TO A POINT OF INTERSECTION WITH THE NORTHERLY LINE OF SAID PARCEL "D", A RADIAL LINE TO SAID POINT BEARS, SOUTH 83°03'51" WEST; THENCE ALONG SAID NORTHERLY LINE, NORTH 79°17'59" EAST 1945.51 FEET TO THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINS 62.25 ACRES, MORE OR LESS.

THIS LEGAL DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION.

DOUGLAS W. MASSON, RCE 17706

DATE:



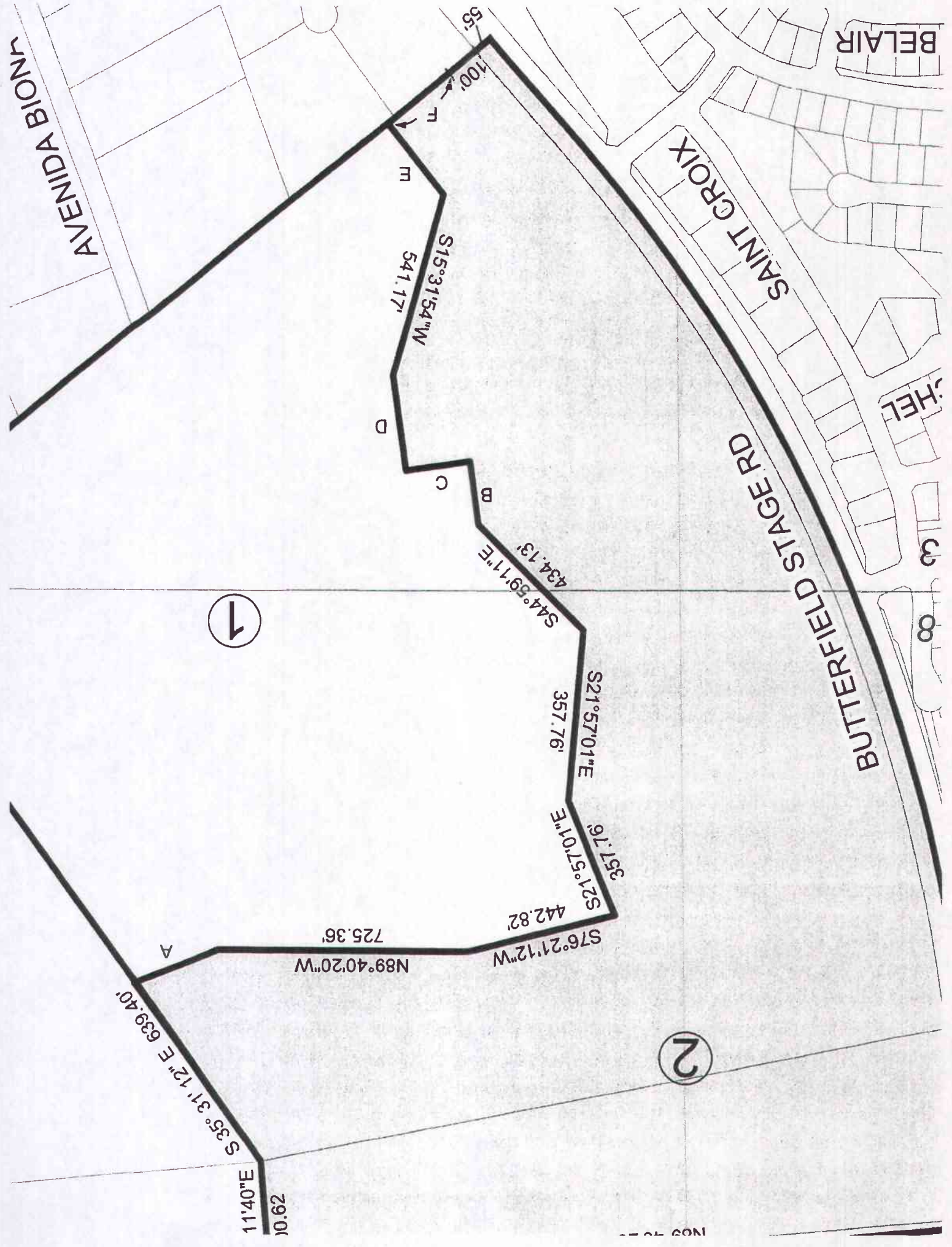


EXHIBIT B

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

KECIA HARPER, 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

2020-0569807

11/16/2020 12:28 PM Fee: \$ 0.00

Page 1 of 12

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



THIS SPACE FOR RECORDERS USE ONLY

293

RESOLUTION NO. 2020-084

Title of Document

**APPROVING AGRICULTURAL PRESERVE CASE NO. 20002 ISSUING CERTIFICATE OF
TENTATIVE CANCELLATION AND DISESTABLISHMENT OF RANCHO CALIFORNIA
AGRICULTURAL PRESERVE NO. 35
(Government Code Section 51283.4)**

(TLMA- Planning Department ~ Item 21.1 of 07/07/2020)

2 **RESOLUTION 2020-084**

3 **APPROVING AGRICULTURAL PRESERVE CASE NO. 20002 ISSUING**
4 **CERTIFICATE OF TENTATIVE CANCELLATION AND DISESTABLISHMENT OF**
5 **RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 35**
6 **(Government Code Section 51283.4)**

7 ADOPTED by Riverside County Board of Supervisors on July 7, 2020.

8 **ROLL CALL:**

9 **Ayes:** Jeffries, Spiegel, Washington, Perez and Hewitt
10 **Nays:** None
11 **Absent:** None

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

15 **KECIA R. HARPER, Clerk of said Board**

16 By: _____

17 Deputy



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1 Board of Supervisors

County of Riverside

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3 **RESOLUTION NO. 2020-084**

4 **APPROVING AGRICULTURAL PRESERVE CASE NO. 200002**
5 **ISSUING CERTIFICATE OF TENTATIVE CANCELLATION AND**
6 **DISESTABLISHMENT OF RANCHO CALIFORNIA**

7 **AGRICULTURAL PRESERVE NO. 35**
8 **(Government Code Section 51283.4)**

9 **WHEREAS**, the Rancho California Agricultural Preserve No. 35 was adopted on April 27, 1982,
10 pursuant to Map No. 547 and originally consisted of 152.9 acres; and,

11 **WHEREAS**, Rancho California Agricultural Preserve No. 35, located generally north of Rancho
12 California Road, east of Butterfield Stage Road, and southwest of La Serena Way, originally included lands,
13 that, as of April 27, 1982, were identified with Assessor's Parcels Numbers 943-070-003, 943-070-004,
14 943-080-003, and 943-080-004; and,

15 **WHEREAS**, a Land Conservation Contract was entered into by previous owner Ely R. Callaway
16 Jr. pursuant to the Land Conservation Act of 1965 (Government Code section 51200 et seq.) with the
17 County of Riverside for land within Rancho California Agricultural Preserve No. 35, which contract took
18 effect on January 1, 1983, and was recorded on May 4, 1982, as Instrument No. 76452 in the Office of the
19 County Recorder of Riverside County, California; and,

20 **WHEREAS**, on August 19, 2003, a Notice of Non-Renewal for the Land Conservation Contract
21 was filed by subsequent property owner Temecula Valley Ltd. and recorded on September 25, 2003, as
22 Instrument No. 2003-0747934, in the Office of the County Recorder of Riverside County, California; and,

23 **WHEREAS**, Temecula Valley Estates, LLC entered into a Land Conservation Contract for the
24 property pursuant to the Land Conservation Act of 1965 (Government Code section 51200 et seq.) in which
25 said contract took effect on January 1, 2008, and was recorded on May 24, 2007, as Instrument No. 2007-
26 0343863, in the Office of the County Recorder of Riverside County, California; and,

27 **WHEREAS**, on September 30, 2008, approximately 70.17 acres was diminished from the Rancho
28 California Agricultural Preserve No. 35 pursuant to Map No. 929. Currently, the Rancho California
Agricultural Preserve No. 35 consists of portions of lands that are identified with Assessor's Parcel
Numbers 943-260-027 and 943-070-003, a total gross area of approximately 82.73 acres (the "Property");
and,

FORM APPROVED COUNTY COUNSEL
BY: *Melissa R. Cushman* June 24, 2020
DATE
MELISSA R. CUSHMAN

1 **WHEREAS**, the Property is further described in Exhibit A, which is attached hereto and
2 incorporated herein by reference, which contains the legal description of the Property; and,

3 **WHEREAS**, on January 28, 2016, Sirah Vineyard Development Corporation, as trustor, was
4 granted ownership of the Property, as shown on the Instrument No. 2016-0035063, recorded in the Office
5 of the County Recorder of Riverside County, California; and,

6 **WHEREAS**, Sirah Vineyard Development Corporation ("Property Owner"), the current owner of
7 the Property, filed a Notice of Nonrenewal on February 24, 2020, which notice was recorded on March 2,
8 2020, as Instrument No. 2020-0095223, in the Office of the County Recorder of Riverside County,
9 California; and,

10 **WHEREAS**, the Property Owner also petitioned to cancel the Land Conservation Contract for the
11 Property and to disestablish 82.73 acres from the Rancho California Agricultural Preserve No. 35, as
12 amended by Map No. 929, by removing the Property from the boundaries of the agricultural preserve; and,

13 **WHEREAS**, Agricultural Preserve Case No. 200002 ("APD No. 200002") will disestablish Rancho
14 California Agricultural Preserve No. 35 in accordance with the map titled "Map No. 547 Rancho California
15 Agricultural Preserve No. 35, as amended by Map No. 929 and 200002," as shown on Exhibit B, attached
16 hereto and incorporated herein; and,

17 **WHEREAS**, all the provisions of the California Environmental Quality Act and the Rules and
18 Regulations Governing Agricultural Preserves in Riverside County, Resolution No. 84-526, have been
19 satisfied, including the preparation of an Addendum to Mitigated Negative Declaration for Environmental
20 Assessment No. 39682; and,

21 **WHEREAS**, the Property Owner has proposed, if the cancellation is approved, that the land will be
22 used for the following alternative use: portions of lots 1, 2, 3, 4, 6, 7, and 8 of Tentative Parcel Map No.
23 37667 ("TPM No. 37667"), which is a Schedule "I" Map. TPM No. 37667 in its entirety is a subdivision
24 of approximately 290 acres into 14 parcels with a minimum lot size of 20 acres ("Project"). The Schedule
25 "I" subdivision is for the division of land only, and the proposed 20-acre lots can support residential uses
26 and, with future entitlements, potential winery development in compliance with the Temecula Valley Policy
27 Area. Of the 290 acres included in TPM No. 37667, 82.37 acres is within the Rancho California
28 Agricultural Preserve No. 35, which APD No. 200002 proposes to disestablish. Future development will
occur on a parcel-by-parcel basis and will be subject to applicable General Plan policies, zoning
classification standards, and land use permits; and,

1 **WHEREAS**, the total amount of the cancellation fee for the Property, pursuant to Section 51283.4
2 of the Government Code, has been determined and certified by the Board of Supervisors to be \$868,665.00;
3 and,

4 **WHEREAS**, a public hearing was held on this matter by the Riverside County Board of Supervisors
5 on July 7, 2020.

6 **BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the Board of Supervisors
7 of the County of Riverside, State of California, in regular session assembled on July 7, 2020, that:

- 8 1. The above recitals are incorporated herein by this reference.
- 9 2. The subject parcels affected by the proposed disestablishment are included under the Land
10 Conservation Contract.
- 11 3. Pursuant to the Notice of Nonrenewal submitted on February 24, 2020, the Land Conservation
12 Contract on the 82.73 acres will expire on December 31, 2029 (Government Code section 51245
13 and Revenue and Taxation Code 426(c)).
- 14 4. The cancellation fee was determined by the Riverside County Assessor's Office to be a total of
15 \$868,665.00.
- 16 5. According to the Natural Resource Conservation Service, the Soils Capability Classification as
17 indicated in the USDA Soil Survey for Riverside County indicates that the site is ninety (90)
18 percent within Class III –IV-VI and ten (10) percent within Class VIII.
- 19 6. Tentative Parcel Map No. 37667, which proposes a Schedule "I" Map for the subdivision of
20 approximately 290 acres into 14 parcels with a minimum lot size of 20 acres, constitutes the
21 proposed alternative land use for the area that is the subject of this disestablishment and
22 cancellation, in addition to other property being included in the map. Of the 290 acres included
23 in TPM No. 37667, 82.37 acres is within the Rancho California Agricultural Preserve No. 35,
24 which APD No. 200002 proposes to disestablish. The proposed 20-acre lots can support
25 residential uses and, with future entitlements, potential winery development in compliance with
26 the Temecula Valley Policy Area. The Project and proposed alternative land use is being
27 processed with this Agricultural case, along with General Plan Amendment No. 190002 ("GPA
28 No. 190002") and Change of Zone No. 1800023 ("CZ No. 1800023"). GPA No. 190002 is an
amendment to the Circulation Element of the Riverside County General Plan to revise the road

1 designation of La Serena Road from a Secondary Highway to a Collector. CZ No. 1800023 will
2 change the site's zoning from Citrus/Vineyard – 5-acre lot minimum to Wine Country – Winery
3 (WC-W). Future development will occur on a parcel-by parcel basis and will be subject to
4 applicable General Plan policies, zoning classification standards and land use permits. The
5 proposed alternative land use is consistent with the Riverside County General Plan Temecula
6 Valley Wine Country Policy Area that was established to preserve and enhance this region's
7 viniculture potential, rural life style and equestrian activities because the proposed lots can
8 support large-lot residential uses and, with additional entitlements, winery development, either
9 or both of which would be in compliance with the Temecula Valley Policy Area.

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

- 11 1. The cancellation is for land on which a Notice of Nonrenewal has been served.
- 12 2. The cancellation is not likely to result in the removal of adjacent lands from agricultural use as
13 the Project will not affect the ability to use adjacent lands for agriculture. The properties to the
14 north, east, and south are either uncultivated or are under agricultural production that primarily
15 supports the viniculture activities that are used for this region's wine production. The proposed
16 alternative land use creates large lots of 20 gross acres within the General Plan Temecula Valley
17 Wine Country Policy Area. The policy area was established to protect the long term viability of
18 the region's viniculture activities, wineries and its incidental commercial uses, large residential
19 estates, and equestrian uses. The Project site is within the Temecula Valley Wine Country Policy
20 Area – Winery District, which encourages incidental commercial uses that promote tourist
21 related activities for the wine industry as described in the Wine Country – Winery (WC-W)
22 Zone. The WC-W Zone development standards requires at least seventy-five (75%) of a winery
23 site to be planted with vineyards. Based on aerial maps of the vicinity area, the project site is
24 surrounded by a mixture of residential, agricultural, and winery uses and similarity of the
25 existing and proposed uses, which will yield very little possibility that the cancelation of the
26 Land Conservation Contract will result in the removal of any agricultural use. Therefore, this
27 cancellation is not likely to result in the removal of adjacent lands from agricultural uses.
28

- 1 3. The cancellation is for an alternative use that is consistent with the applicable provisions of the
2 General Plan. The project site is located within the Temecula Valley Wine Country Policy Area
3 – Winery District of the Southwest Area Plan (SWAP). The alternative land use for 82.73 acres
4 land associated with proposed APD No. 200002, is a portion of Tentative Parcel Map No. 37667
5 is a Schedule "I" Map which will be for the subdivision of approximately 290 acres into 14
6 parcels with a minimum lot size of 20 acres. The Policy Area requires a minimum of ten gross
7 acres for subdivisions and encourages the development of wineries and incidental commercial.
8 The Schedule "I" subdivision is for the division of land only, and the proposed 20-acre lots can
9 support residential uses and, with future entitlements, potential winery development that are in
10 compliance with the Temecula Valley Wine Country Policy Area. Future development will
11 occur on a parcel-by-parcel basis and will be subject to the policies of the General Plan and the
12 requirements of the Wine Country – Winery Zone (WC-W). Based upon the above, the
13 cancellation for an alternative use is consistent with the applicable provisions of the Riverside
14 County General Plan.
- 15 4. The cancellation will not result in discontinuous patterns of urban development because the
16 project site and the surrounding area to the north, east and south are within and would remain
17 consistent with the existing General Plan Temecula Valley Wine Country Policy Area. The
18 Policy Area encourages large residential lots, the establishment of wineries and its supporting
19 incidental commercial uses, and other agricultural uses. The area east to the project site is used
20 for single family residential units within the City of Temecula. The project area is surrounded
21 by a mixture of agricultural uses, wineries and residences similar to the uses that the project will
22 provide for in the future subject to the appropriate land use permits; therefore, the existing
23 pattern of development will be maintained and will be contiguous.
- 24 5. The development of the subject project site will result in more contiguous pattern of residential,
25 wineries, and agricultural uses that are encouraged in the Temecula Valley Wine Country Policy
26 Area. There is also no other nearby parcel that is not subject to a land conservation contract and
27 that is both available and suitable for the Project. The Project is located adjacent to properties
28 that within the Temecula Valley Wine Country Policy Area.

- 1 6. No adjacent or even nearby parcels would be available for the proposed project use because of
2 either the existing uses of the properties or the low density designations applied to those
3 properties. Therefore, there is no proximate noncontracted land which is both available and
4 suitable for the proposed use.
- 5 7. Therefore, based on the above, the proposed cancellation is consistent with the purposes of the
6 Land Conservation Act of 1965 (Government Code section 51282 (a)(1), and as a result, the
7 Board of Supervisors may grant the proposed disestablishment.
- 8 8. The Board of Supervisors has considered the Addendum to the Mitigated Negative Declaration
9 for Environmental Assessment No. 39682 and, based thereon, determined that the proposed
10 Disestablishment of Rancho California Agricultural Preserve No. 35 by removing 82.73 acres
11 will not have a significant impact upon the environment.

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

- 15 1. The cancellation fee of \$868,665.00 shall be paid;
- 16 2. All conditions necessary for the County to issue grading permits for any portion of Tentative
17 Parcel Map No. 37667 shall have been met; and,
- 18 3. The landowner shall notify the Board of Supervisors when all conditions and contingencies
19 enumerated in this Certificate of Tentative Cancellation have been satisfied with respect to the
20 Land Conservation Contract. Within 30 days of receipt of such notice, and upon determination
21 that the conditions and contingencies have been satisfied, the Board of Supervisors shall cause
22 to be executed and recorded a Certificate of Final Cancellation with respect to the Land
23 Conservation Contract.

24 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the landowners will be entitled
25 to a Certificate of Final Cancellation that provides as follows:

- 26 1. Rancho California Agricultural Preserve No. 35, Map No. 547, adopted on April 27, 1982,
27 amended by Map No. 929, is further amended by Map No. 200002 deleting therefrom the area
28

1 shown and described in Exhibit A, attached hereto, being on file in the Office of the Clerk of the
2 Board.

- 3 2. The Land Conservation Contract will be canceled to the extent said contract applies to the land
4 referenced in the petition for cancellation of the aforementioned property owner, thereby
5 removing from the effect of said contract the real property in the County of Riverside, State of
6 California, described in Exhibit A attached hereto.

7 **BE IT FURTHER RESOLVED** by the Board of Supervisors that, if any portion of the
8 cancellation fee of \$868,665.00 is not paid within one year following the recordation of this Certificate of
9 Tentative Cancellation, that portion of the fee shall be recomputed pursuant to Government Code Section
10 51283.4(a), and the applicable landowner shall be required to pay the applicable portion of the
11 recomputed fee as a condition to issuance of a Certificate of Final Cancellation of the Land Conservation
12 Contract.

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

17 **BE IT FURTHER RESOLVED** that the Clerk of this Board shall file and record copies of this
18 resolution, Property description as shown in Exhibit A and the map titled Map No. 547, Rancho
19 California Agricultural Preserve No. 35 as amended by Map No. 929 and 200002, as shown on Exhibit B,
20 in the Office of the County Recorder of Riverside County, California, and transmit copies thereof to the
21 Director of Conservation of the State of California, the Treasurer of Riverside County, and the Assessor of
22 Riverside County.

EXHIBIT "A"

LEGAL DESCRIPTION (POR. APN: 943-070-003)

BEING A PORTION OF PARCEL A-18 OF RECORD OF SURVEY FILED IN BOOK 50, PAGES 68 THROUGH 75, INCLUSIVE, IN THE UNINCORPORATED TERRITORY OF RIVERSIDE COUNTY, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHERLY CORNER OF PARCEL A-17 OF SAID RECORD OF SURVEY; THENCE ALONG THE NORTHERLY LINE THEREOF, SAID LINE ALSO BEING THE NORTHERLY LINE OF PARCEL "D" PER LLA 4881, RECORDED MAY 11, 2005 AS INSTRUMENT NO. 2005-0372702, OF OFFICIAL RECORDS, SOUTH 79°17'59" WEST 1945.51 FEET TO A POINT ON A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 4645.00 FEET, A RADIAL LINE TO SAID POINT BEARS, SOUTH 83°03'51" WEST, SAID POINT FURTHER BEING A POINT ON THE EASTERLY LINE OF THAT CERTAIN 100 FOOT WIDE LAND CONSERVATION EASEMENT, RECORDED SEPTEMBER 30, 1981 AS INSTRUMENT NO. 184498, OF OFFICIAL RECORDS; THENCE NORTHERLY ALONG SAID CURVE 571.48 FEET THROUGH A CENTRAL ANGLE OF 07°02'57" TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF LA SERENA WAY (BEING 44.00 FEET HALF WIDTH), A RADIAL LINE TO SAID POINT BEARS, NORTH 89°53'12" WEST; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, NORTH 85°48'21" EAST 1925.17 FEET; THENCE DEPARTING SAID LINE SOUTH 04°11'40" EAST 350.62 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 20.48 ACRES, MORE OR LESS.

THIS LEGAL DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION.

DOUGLAS W. MASSON, RCE 17706

DATE:



EXHIBIT "A"

LEGAL DESCRIPTION (POR. APN: 943-260-027)

BEING A PORTION OF PARCEL "D" OF LOT LINE ADJUSTMENT RECORDED MAY 11, 2005 AS INSTRUMENT NO. 2005-0372702, OF OFFICIAL RECORDS, IN THE UNINCORPORATED TERRITORY OF RIVERSIDE COUNTY, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHERLY CORNER OF PARCEL A-17 OF RECORD OF SURVEY FILED IN BOOK 50, PAGES 68 THROUGH 75, INCLUSIVE, OF RECORDS OF SURVEY; THENCE ALONG THE EASTERLY LINE OF SAID PARCEL A-17, SOUTH 35°31'12" EAST 639.40 FEET; THENCE DEPARTING SAID EASTERLY LINE, SOUTH 68°05'36" WEST 266.32 FEET; THENCE NORTH 89°40'20" WEST 725.36 FEET; THENCE SOUTH 76°21'12" WEST 442.82 FEET; THENCE SOUTH 21°57'01" EAST 357.76 FEET; THENCE SOUTH 05°08'18" WEST 494.49 FEET; THENCE SOUTH 44°59'11" EAST 434.13 FEET; THENCE SOUTH 07°46'16" EAST 183.59 FEET; THENCE NORTH 82°13'44" EAST 190.80 FEET; THENCE SOUTH 07°46'16" EAST 276.12 FEET; THENCE SOUTH 15°31'54" WEST 541.17 FEET; THENCE SOUTH 38°38'38" EAST 240.01 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF SAID PARCEL A-15; THENCE ALONG SAID SOUTHEASTERLY LINE SOUTH 51°21'22" WEST 225.38 FEET TO A POINT ON THE EASTERLY LINE OF THAT CERTAIN 100 FOOT WIDE LAND CONSERVATION EASEMENT, RECORDED SEPTEMBER 30, 1981 AS INSTRUMENT NO. 184498, OF OFFICIAL RECORDS; THENCE ALONG SAID EASTERLY LINE THE FOLLOWING TWO (2) COURSES:

- 1) NORTH 41°40'06" WEST 324.50 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 4645.00 FEET;
- 2) NORTHERLY ALONG SAID CURVE 2815.78 FEET THROUGH A CENTRAL ANGLE OF 34°43'57" TO A POINT OF INTERSECTION WITH THE NORTHERLY LINE OF SAID PARCEL "D", A RADIAL LINE TO SAID POINT BEARS, SOUTH 83°03'51" WEST; THENCE ALONG SAID NORTHERLY LINE, NORTH 79°17'59" EAST 1945.51 FEET TO THE **POINT OF BEGINNING**.

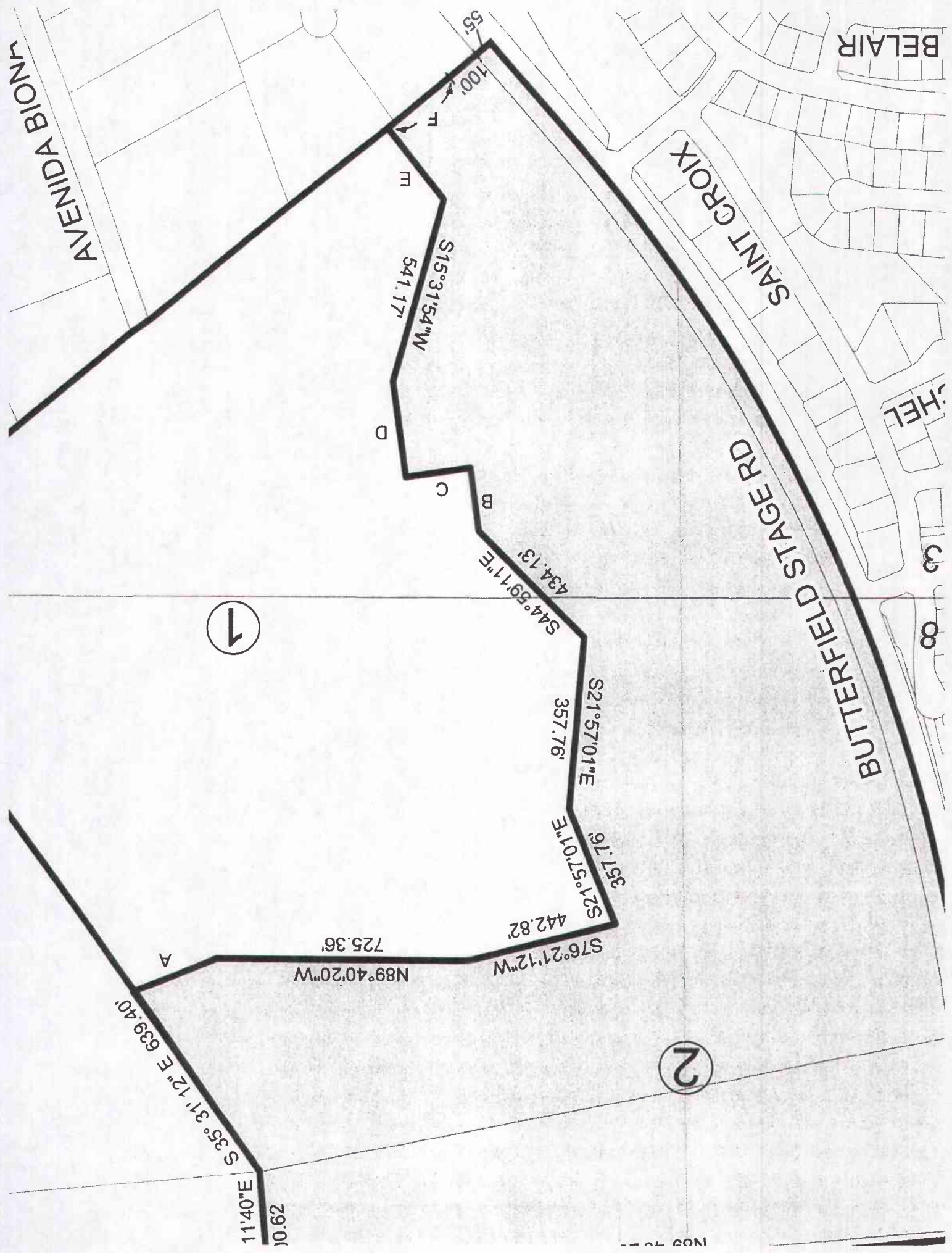
SAID PARCEL CONTAINS 62.25 ACRES, MORE OR LESS.

THIS LEGAL DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION.

DOUGLAS W. MASSON, RCE 17706

DATE:





BELAIR

SAINT CROIX

BUTTERFIELD STAGE RD

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AVENIDA BIONDA

EXHIBIT B

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

KECIA HARPER, 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

2020-0569807

11/16/2020 12:28 PM Fee: \$ 0.00

Page 1 of 12

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



THIS SPACE FOR RECORDERS USE ONLY

293

RESOLUTION NO. 2020-084

Title of Document

**APPROVING AGRICULTURAL PRESERVE CASE NO. 20002 ISSUING CERTIFICATE OF
TENTATIVE CANCELLATION AND DISESTABLISHMENT OF RANCHO CALIFORNIA
AGRICULTURAL PRESERVE NO. 35
(Government Code Section 51283.4)**

(TLMA- Planning Department ~ Item 21.1 of 07/07/2020)

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE
FOR RECORDING INFORMATION

2 **RESOLUTION 2020-084**

3 **APPROVING AGRICULTURAL PRESERVE CASE NO. 20002 ISSUING**
4 **CERTIFICATE OF TENTATIVE CANCELLATION AND DISESTABLISHMENT OF**
5 **RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 35**
6 **(Government Code Section 51283.4)**

7 ADOPTED by Riverside County Board of Supervisors on July 7, 2020.

8 **ROLL CALL:**

9 **Ayes:** Jeffries, Spiegel, Washington, Perez and Hewitt
10 **Nays:** None
11 **Absent:** None

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

15 **KECIA R. HARPER, Clerk of said Board**

16 By: _____

17 Deputy

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23 07.07.2020 21.1
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3 **RESOLUTION NO. 2020-084**

4 **APPROVING AGRICULTURAL PRESERVE CASE NO. 200002**
5 **ISSUING CERTIFICATE OF TENTATIVE CANCELLATION AND**
6 **DISESTABLISHMENT OF RANCHO CALIFORNIA**

7 **AGRICULTURAL PRESERVE NO. 35**

8 **(Government Code Section 51283.4)**

9 **WHEREAS**, the Rancho California Agricultural Preserve No. 35 was adopted on April 27, 1982,
10 pursuant to Map No. 547 and originally consisted of 152.9 acres; and,

11 **WHEREAS**, Rancho California Agricultural Preserve No. 35, located generally north of Rancho
12 California Road, east of Butterfield Stage Road, and southwest of La Serena Way, originally included lands,
13 that, as of April 27, 1982, were identified with Assessor's Parcels Numbers 943-070-003, 943-070-004,
14 943-080-003, and 943-080-004; and,

15 **WHEREAS**, a Land Conservation Contract was entered into by previous owner Ely R. Callaway
16 Jr. pursuant to the Land Conservation Act of 1965 (Government Code section 51200 et seq.) with the
17 County of Riverside for land within Rancho California Agricultural Preserve No. 35, which contract took
18 effect on January 1, 1983, and was recorded on May 4, 1982, as Instrument No. 76452 in the Office of the
19 County Recorder of Riverside County, California; and,

20 **WHEREAS**, on August 19, 2003, a Notice of Non-Renewal for the Land Conservation Contract
21 was filed by subsequent property owner Temecula Valley Ltd. and recorded on September 25, 2003, as
22 Instrument No. 2003-0747934, in the Office of the County Recorder of Riverside County, California; and,

23 **WHEREAS**, Temecula Valley Estates, LLC entered into a Land Conservation Contract for the
24 property pursuant to the Land Conservation Act of 1965 (Government Code section 51200 et seq.) in which
25 said contract took effect on January 1, 2008, and was recorded on May 24, 2007, as Instrument No. 2007-
26 0343863, in the Office of the County Recorder of Riverside County, California; and,

27 **WHEREAS**, on September 30, 2008, approximately 70.17 acres was diminished from the Rancho
28 California Agricultural Preserve No. 35 pursuant to Map No. 929. Currently, the Rancho California
Agricultural Preserve No. 35 consists of portions of lands that are identified with Assessor's Parcel
Numbers 943-260-027 and 943-070-003, a total gross area of approximately 82.73 acres (the "Property");
and,

FORM APPROVED COUNTY COUNSEL
BY: *Melissa R. Cushman* DATE: *June 21, 2020*
BY: MELISSA R. CUSHMAN

1 **WHEREAS**, the Property is further described in Exhibit A, which is attached hereto and
2 incorporated herein by reference, which contains the legal description of the Property; and,

3 **WHEREAS**, on January 28, 2016, Sirah Vineyard Development Corporation, as trustor, was
4 granted ownership of the Property, as shown on the Instrument No. 2016-0035063, recorded in the Office
5 of the County Recorder of Riverside County, California; and,

6 **WHEREAS**, Sirah Vineyard Development Corporation ("Property Owner"), the current owner of
7 the Property, filed a Notice of Nonrenewal on February 24, 2020, which notice was recorded on March 2,
8 2020, as Instrument No. 2020-0095223, in the Office of the County Recorder of Riverside County,
9 California; and,

10 **WHEREAS**, the Property Owner also petitioned to cancel the Land Conservation Contract for the
11 Property and to disestablish 82.73 acres from the Rancho California Agricultural Preserve No. 35, as
12 amended by Map No. 929, by removing the Property from the boundaries of the agricultural preserve; and,

13 **WHEREAS**, Agricultural Preserve Case No. 200002 ("APD No. 200002") will disestablish Rancho
14 California Agricultural Preserve No. 35 in accordance with the map titled "Map No. 547 Rancho California
15 Agricultural Preserve No. 35, as amended by Map No. 929 and 200002," as shown on Exhibit B, attached
16 hereto and incorporated herein; and,

17 **WHEREAS**, all the provisions of the California Environmental Quality Act and the Rules and
18 Regulations Governing Agricultural Preserves in Riverside County, Resolution No. 84-526, have been
19 satisfied, including the preparation of an Addendum to Mitigated Negative Declaration for Environmental
20 Assessment No. 39682; and,

21 **WHEREAS**, the Property Owner has proposed, if the cancellation is approved, that the land will be
22 used for the following alternative use: portions of lots 1, 2, 3, 4, 6, 7, and 8 of Tentative Parcel Map No.
23 37667 ("TPM No. 37667"), which is a Schedule "T" Map. TPM No. 37667 in its entirety is a subdivision
24 of approximately 290 acres into 14 parcels with a minimum lot size of 20 acres ("Project"). The Schedule
25 "T" subdivision is for the division of land only, and the proposed 20-acre lots can support residential uses
26 and, with future entitlements, potential winery development in compliance with the Temecula Valley Policy
27 Area. Of the 290 acres included in TPM No. 37667, 82.37 acres is within the Rancho California
28 Agricultural Preserve No. 35, which APD No. 200002 proposes to disestablish. Future development will
occur on a parcel-by-parcel basis and will be subject to applicable General Plan policies, zoning
classification standards, and land use permits; and,

1 **WHEREAS**, the total amount of the cancellation fee for the Property, pursuant to Section 51283.4
2 of the Government Code, has been determined and certified by the Board of Supervisors to be \$868,665.00;
3 and,

4 **WHEREAS**, a public hearing was held on this matter by the Riverside County Board of Supervisors
5 on July 7, 2020.

6 **BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the Board of Supervisors
7 of the County of Riverside, State of California, in regular session assembled on July 7, 2020, that:

- 8 1. The above recitals are incorporated herein by this reference.
- 9 2. The subject parcels affected by the proposed disestablishment are included under the Land
10 Conservation Contract.
- 11 3. Pursuant to the Notice of Nonrenewal submitted on February 24, 2020, the Land Conservation
12 Contract on the 82.73 acres will expire on December 31, 2029 (Government Code section 51245
13 and Revenue and Taxation Code 426(c)).
- 14 4. The cancellation fee was determined by the Riverside County Assessor's Office to be a total of
15 \$868,665.00.
- 16 5. According to the Natural Resource Conservation Service, the Soils Capability Classification as
17 indicated in the USDA Soil Survey for Riverside County indicates that the site is ninety (90)
18 percent within Class III –IV-VI and ten (10) percent within Class VIII.
- 19 6. Tentative Parcel Map No. 37667, which proposes a Schedule "I" Map for the subdivision of
20 approximately 290 acres into 14 parcels with a minimum lot size of 20 acres, constitutes the
21 proposed alternative land use for the area that is the subject of this disestablishment and
22 cancellation, in addition to other property being included in the map. Of the 290 acres included
23 in TPM No. 37667, 82.37 acres is within the Rancho California Agricultural Preserve No. 35,
24 which APD No. 200002 proposes to disestablish. The proposed 20-acre lots can support
25 residential uses and, with future entitlements, potential winery development in compliance with
26 the Temecula Valley Policy Area. The Project and proposed alternative land use is being
27 processed with this Agricultural case, along with General Plan Amendment No. 190002 ("GPA
28 No. 190002") and Change of Zone No. 1800023 ("CZ No. 1800023"). GPA No. 190002 is an
 amendment to the Circulation Element of the Riverside County General Plan to revise the road

1 designation of La Serena Road from a Secondary Highway to a Collector. CZ No. 1800023 will
2 change the site's zoning from Citrus/Vineyard – 5-acre lot minimum to Wine Country – Winery
3 (WC-W). Future development will occur on a parcel-by parcel basis and will be subject to
4 applicable General Plan policies, zoning classification standards and land use permits. The
5 proposed alternative land use is consistent with the Riverside County General Plan Temecula
6 Valley Wine Country Policy Area that was established to preserve and enhance this region's
7 viniculture potential, rural life style and equestrian activities because the proposed lots can
8 support large-lot residential uses and, with additional entitlements, winery development, either
9 or both of which would be in compliance with the Temecula Valley Policy Area.

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

- 11 1. The cancellation is for land on which a Notice of Nonrenewal has been served.
- 12 2. The cancellation is not likely to result in the removal of adjacent lands from agricultural use as
13 the Project will not affect the ability to use adjacent lands for agriculture. The properties to the
14 north, east, and south are either uncultivated or are under agricultural production that primarily
15 supports the viniculture activities that are used for this region's wine production. The proposed
16 alternative land use creates large lots of 20 gross acres within the General Plan Temecula Valley
17 Wine Country Policy Area. The policy area was established to protect the long term viability of
18 the region's viniculture activities, wineries and its incidental commercial uses, large residential
19 estates, and equestrian uses. The Project site is within the Temecula Valley Wine Country Policy
20 Area – Winery District, which encourages incidental commercial uses that promote tourist
21 related activities for the wine industry as described in the Wine Country – Winery (WC-W)
22 Zone. The WC-W Zone development standards requires at least seventy-five (75%) of a winery
23 site to be planted with vineyards. Based on aerial maps of the vicinity area, the project site is
24 surrounded by a mixture of residential, agricultural, and winery uses and similarity of the
25 existing and proposed uses, which will yield very little possibility that the cancelation of the
26 Land Conservation Contract will result in the removal of any agricultural use. Therefore, this
27 cancellation is not likely to result in the removal of adjacent lands from agricultural uses.

- 1 3. The cancellation is for an alternative use that is consistent with the applicable provisions of the
2 General Plan. The project site is located within the Temecula Valley Wine Country Policy Area
3 – Winery District of the Southwest Area Plan (SWAP). The alternative land use for 82.73 acres
4 land associated with proposed APD No. 200002, is a portion of Tentative Parcel Map No. 37667
5 is a Schedule "I" Map which will be for the subdivision of approximately 290 acres into 14
6 parcels with a minimum lot size of 20 acres. The Policy Area requires a minimum of ten gross
7 acres for subdivisions and encourages the development of wineries and incidental commercial.
8 The Schedule "I" subdivision is for the division of land only, and the proposed 20-acre lots can
9 support residential uses and, with future entitlements, potential winery development that are in
10 compliance with the Temecula Valley Wine Country Policy Area. Future development will
11 occur on a parcel-by-parcel basis and will be subject to the policies of the General Plan and the
12 requirements of the Wine Country – Winery Zone (WC-W). Based upon the above, the
13 cancellation for an alternative use is consistent with the applicable provisions of the Riverside
14 County General Plan.
- 15 4. The cancellation will not result in discontinuous patterns of urban development because the
16 project site and the surrounding area to the north, east and south are within and would remain
17 consistent with the existing General Plan Temecula Valley Wine Country Policy Area. The
18 Policy Area encourages large residential lots, the establishment of wineries and its supporting
19 incidental commercial uses, and other agricultural uses. The area east to the project site is used
20 for single family residential units within the City of Temecula. The project area is surrounded
21 by a mixture of agricultural uses, wineries and residences similar to the uses that the project will
22 provide for in the future subject to the appropriate land use permits; therefore, the existing
23 pattern of development will be maintained and will be contiguous.
- 24 5. The development of the subject project site will result in more contiguous pattern of residential,
25 wineries, and agricultural uses that are encouraged in the Temecula Valley Wine Country Policy
26 Area. There is also no other nearby parcel that is not subject to a land conservation contract and
27 that is both available and suitable for the Project. The Project is located adjacent to properties
28 that within the Temecula Valley Wine Country Policy Area.

1 6. No adjacent or even nearby parcels would be available for the proposed project use because of
2 either the existing uses of the properties or the low density designations applied to those
3 properties. Therefore, there is no proximate noncontracted land which is both available and
4 suitable for the proposed use.

5 7. Therefore, based on the above, the proposed cancellation is consistent with the purposes of the
6 Land Conservation Act of 1965 (Government Code section 51282 (a)(1), and as a result, the
7 Board of Supervisors may grant the proposed disestablishment.

8 8. The Board of Supervisors has considered the Addendum to the Mitigated Negative Declaration
9 for Environmental Assessment No. 39682 and, based thereon, determined that the proposed
10 Disestablishment of Rancho California Agricultural Preserve No. 35 by removing 82.73 acres
11 will not have a significant impact upon the environment.

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

- 15 1. The cancellation fee of \$868,665.00 shall be paid;
- 16 2. All conditions necessary for the County to issue grading permits for any portion of Tentative
17 Parcel Map No. 37667 shall have been met; and,
- 18 3. The landowner shall notify the Board of Supervisors when all conditions and contingencies
19 enumerated in this Certificate of Tentative Cancellation have been satisfied with respect to the
20 Land Conservation Contract. Within 30 days of receipt of such notice, and upon determination
21 that the conditions and contingencies have been satisfied, the Board of Supervisors shall cause
22 to be executed and recorded a Certificate of Final Cancellation with respect to the Land
23 Conservation Contract.

24 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the landowners will be entitled
25 to a Certificate of Final Cancellation that provides as follows:

- 26 1. Rancho California Agricultural Preserve No. 35, Map No. 547, adopted on April 27, 1982,
27 amended by Map No. 929, is further amended by Map No. 200002 deleting therefrom the area
28

1 shown and described in Exhibit A, attached hereto, being on file in the Office of the Clerk of the
2 Board.

- 3 2. The Land Conservation Contract will be canceled to the extent said contract applies to the land
4 referenced in the petition for cancellation of the aforementioned property owner, thereby
5 removing from the effect of said contract the real property in the County of Riverside, State of
6 California, described in Exhibit A attached hereto.

7 **BE IT FURTHER RESOLVED** by the Board of Supervisors that, if any portion of the
8 cancellation fee of \$868,665.00 is not paid within one year following the recordation of this Certificate of
9 Tentative Cancellation, that portion of the fee shall be recomputed pursuant to Government Code Section
10 51283.4(a), and the applicable landowner shall be required to pay the applicable portion of the
11 recomputed fee as a condition to issuance of a Certificate of Final Cancellation of the Land Conservation
12 Contract.

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

17 **BE IT FURTHER RESOLVED** that the Clerk of this Board shall file and record copies of this
18 resolution, Property description as shown in Exhibit A and the map titled Map No. 547, Rancho
19 California Agricultural Preserve No. 35 as amended by Map No. 929 and 200002, as shown on Exhibit B,
20 in the Office of the County Recorder of Riverside County, California, and transmit copies thereof to the
21 Director of Conservation of the State of California, the Treasurer of Riverside County, and the Assessor of
22 Riverside County.

EXHIBIT "A"

LEGAL DESCRIPTION (POR. APN: 943-070-003)

BEING A PORTION OF PARCEL A-18 OF RECORD OF SURVEY FILED IN BOOK 50, PAGES 68 THROUGH 75, INCLUSIVE, IN THE UNINCORPORATED TERRITORY OF RIVERSIDE COUNTY, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHERLY CORNER OF PARCEL A-17 OF SAID RECORD OF SURVEY; THENCE ALONG THE NORTHERLY LINE THEREOF, SAID LINE ALSO BEING THE NORTHERLY LINE OF PARCEL "D" PER LLA 4881, RECORDED MAY 11, 2005 AS INSTRUMENT NO. 2005-0372702, OF OFFICIAL RECORDS, SOUTH 79°17'59" WEST 1945.51 FEET TO A POINT ON A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 4645.00 FEET, A RADIAL LINE TO SAID POINT BEARS, SOUTH 83°03'51" WEST, SAID POINT FURTHER BEING A POINT ON THE EASTERLY LINE OF THAT CERTAIN 100 FOOT WIDE LAND CONSERVATION EASEMENT, RECORDED SEPTEMBER 30, 1981 AS INSTRUMENT NO. 184498, OF OFFICIAL RECORDS; THENCE NORTHERLY ALONG SAID CURVE 571.48 FEET THROUGH A CENTRAL ANGLE OF 07°02'57" TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF LA SERENA WAY (BEING 44.00 FEET HALF WIDTH), A RADIAL LINE TO SAID POINT BEARS, NORTH 89°53'12" WEST; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, NORTH 85°48'21" EAST 1925.17 FEET; THENCE DEPARTING SAID LINE SOUTH 04°11'40" EAST 350.62 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 20.48 ACRES, MORE OR LESS.

THIS LEGAL DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION.

DOUGLAS W. MASSON, RCE 17706

DATE: _____



EXHIBIT "A"

LEGAL DESCRIPTION (POR. APN: 943-260-027)

BEING A PORTION OF PARCEL "D" OF LOT LINE ADJUSTMENT RECORDED MAY 11, 2005 AS INSTRUMENT NO. 2005-0372702, OF OFFICIAL RECORDS, IN THE UNINCORPORATED TERRITORY OF RIVERSIDE COUNTY, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHERLY CORNER OF PARCEL A-17 OF RECORD OF SURVEY FILED IN BOOK 50, PAGES 68 THROUGH 75, INCLUSIVE, OF RECORDS OF SURVEY; THENCE ALONG THE EASTERLY LINE OF SAID PARCEL A-17, SOUTH 35°31'12" EAST 639.40 FEET; THENCE DEPARTING SAID EASTERLY LINE, SOUTH 68°05'36" WEST 266.32 FEET; THENCE NORTH 89°40'20" WEST 725.36 FEET; THENCE SOUTH 76°21'12" WEST 442.82 FEET; THENCE SOUTH 21°57'01" EAST 357.76 FEET; THENCE SOUTH 05°08'18" WEST 494.49 FEET; THENCE SOUTH 44°59'11" EAST 434.13 FEET; THENCE SOUTH 07°46'16" EAST 183.59 FEET; THENCE NORTH 82°13'44" EAST 190.80 FEET; THENCE SOUTH 07°46'16" EAST 276.12 FEET; THENCE SOUTH 15°31'54" WEST 541.17 FEET; THENCE SOUTH 38°38'38" EAST 240.01 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF SAID PARCEL A-15; THENCE ALONG SAID SOUTHEASTERLY LINE SOUTH 51°21'22" WEST 225.38 FEET TO A POINT ON THE EASTERLY LINE OF THAT CERTAIN 100 FOOT WIDE LAND CONSERVATION EASEMENT, RECORDED SEPTEMBER 30, 1981 AS INSTRUMENT NO. 184498, OF OFFICIAL RECORDS; THENCE ALONG SAID EASTERLY LINE THE FOLLOWING TWO (2) COURSES:

- 1) NORTH 41°40'06" WEST 324.50 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 4645.00 FEET;
- 2) NORTHERLY ALONG SAID CURVE 2815.78 FEET THROUGH A CENTRAL ANGLE OF 34°43'57" TO A POINT OF INTERSECTION WITH THE NORTHERLY LINE OF SAID PARCEL "D", A RADIAL LINE TO SAID POINT BEARS, SOUTH 83°03'51" WEST; THENCE ALONG SAID NORTHERLY LINE, NORTH 79°17'59" EAST 1945.51 FEET TO THE POINT OF BEGINNING.

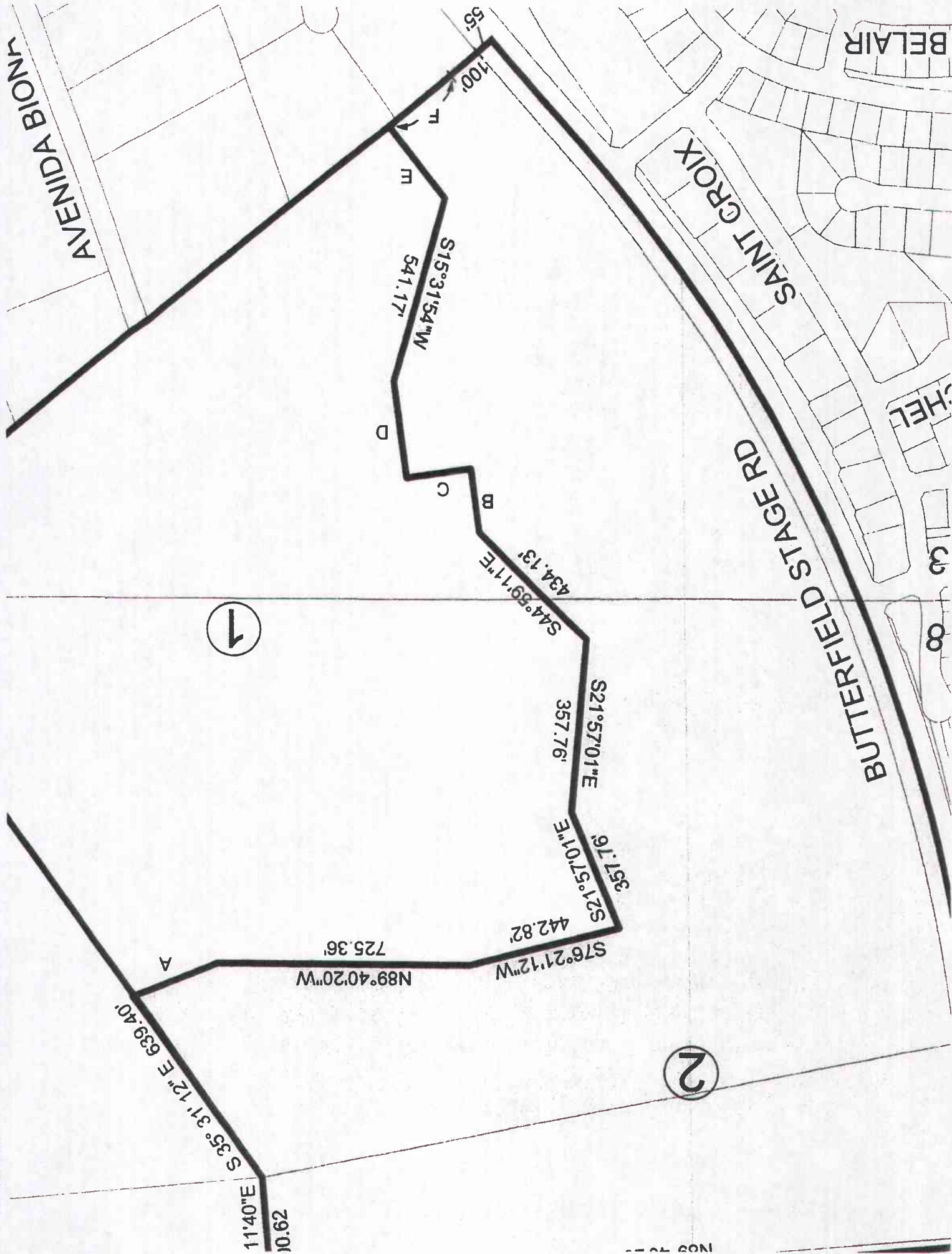
SAID PARCEL CONTAINS 62.25 ACRES, MORE OR LESS.

THIS LEGAL DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION.

DOUGLAS W. MASSON, RCE 17706

DATE:





BELAIR

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NO. 100

**AGREEMENT TO DEFER CANCELLATION FEES
FOR AGRICULTURAL PRESERVE CASE NO. 200001
RELATED TO THE CANCELLATION AND DIMINISHMENT OF
RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 3, AND
FOR AGRICULTURAL PRESERVE CASE NO. 200002
RELATED TO THE CANCELLATION AND DISESTABLISHMENT OF
RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 35**

This Agreement ("Agreement") is entered into by and between the County of Riverside, a political subdivision of the State of California ("County"), and Sirah Vineyard Development Corporation, a California corporation ("Property Owner"). The County and Property Owner are collectively referred to as "Parties" and individually referred to as "Party". The Parties hereto agree as follows:

RECITALS

A. In accordance with the California Land Conservation Act of 1965, also known as the Williamson Act, and County of Riverside Resolution ("Resolution") No. 84-526, Rancho California Agricultural Preserve No. 3 was established on August 24, 1970, pursuant to Map No. 108 and originally consisted of 138.85 acres. Rancho California Agricultural Preserve No. 3 was diminished over the years and by October 9, 2008, consisted of portions of lands that were identified with Assessor's Parcel Number 943-260-027 and a total gross area of approximately 53.81 acres.

B. Also, in accordance with the Williamson Act and Resolution No. 84-526, Rancho California Agricultural Preserve No. 35 was established on April 27, 1982, pursuant to Map No. 547 and originally consisted of 152.9 acres. Rancho California Agricultural Preserve No. 35 was also diminished over the years and by September 30, 2008, consisted of portions of lands that are identified with Assessor's Parcel Numbers 943-260-027 and 943-070-003 and a total gross area of approximately 82.73 acres.

C. On January 28, 2016, Sirah Vineyard Development Corporation, as trustor, was granted ownership of the properties, as shown on the Instrument No. 2016-0035063, recorded in the Office of the County Recorder of Riverside County, California, with portions that were subject to Rancho California Agricultural Preserve No. 3 and Rancho California Agricultural Preserve No. 35.

D. On July 7, 2020, the Riverside County Board of Supervisors ("Board") approved Agricultural Preserve Case No. 200001 ("APD No. 200001") diminishing Rancho California Agricultural Preserve No. 3 by 43.27 acres and issued a corresponding Certification of Tentative Cancellation and Diminishment. The Board certified the cancellation fee for APD No. 200001 as \$454,335.00, which was determined by the Riverside County Assessor's Office pursuant to California Government Code Section 51283.4.

E. Also, on July 7, 2020, the Board approved Agricultural Preserve Case No. 200002 ("APD No. 200002"), which disestablished the remaining 82.73 acres of the Rancho California

Agricultural Preserve No. 35 and issued a Certificate of Tentative Cancellation and Disestablishment. The Board certified the cancellation fee for APD No. 200002 as \$868,665.00, which was determined by the Riverside County Assessor's Office pursuant to Government Code Section 51283.4.

F. Also, on July 7, 2020, the Board approved Tentative Parcel Map No. 37667 ("TPM No. 37667"), which is a Schedule "T" Map and includes the acres described in APD No. 200001 and APD No. 200002. The Schedule "T" subdivision is for the division of land only. Future development will occur on a parcel-by-parcel basis and will be subject to applicable General Plan policies, zoning classification standards, and land use permits.

G. On August 21, 2020, Resolution No. 2020-083, issuing the Certificate of Tentative Cancellation and Diminishment related to APD No. 200001, was recorded in the County of Riverside on August 21, 2020 as Document No. 2020-0387300.

H. Also, on August 21, 2020, Resolution No. 2020-084, issuing the Certificate of Tentative Cancellation and Disestablishment related to APD No. 200002, was recorded in the County of Riverside as Document No. 2020-0387299.

I. Resolution No. 2020-083 outlines the conditions and contingencies that the Property Owner must meet, in accordance with Government Code Section 51283.4, prior to issuance of a Certificate of Final Cancellation for APD No. 200001, including, but not limited to, the following:

- i. Payment of the \$454,335.00 cancellation fee,
- ii. Compliance with all conditions necessary for the County to issue grading permits for any portion of Tentative Parcel Map No. 37667, and
- iii. Notification to the Board of Supervisors when all conditions and contingencies enumerated in the Certificate of Tentative Cancellation have been satisfied with respect to this Land Conservation Contract.

J. Resolution No. 2020-084 outlines the conditions and contingencies that the Property Owner must meet, in accordance with Government Code Section 51283.4, prior to issuance of a Certificate of Final Cancellation for APD No. 200002, including, but not limited to, the following:

- i. Payment of the \$868,665.00 cancellation fee,
- ii. Compliance with all conditions necessary for the County to issue grading permits for any portion of Tentative Parcel Map No. 37667, and
- iii. Notification to the Board of Supervisors when all conditions and contingencies enumerated in the Certificate of Tentative Cancellation have been satisfied with respect to this Land Conservation Contract.

K. The Property Owner now desires a deferral or extension of the time for making the

\$454,335.00 cancellation fee for APD No. 200001 and \$868,665.00 cancellation fee for APD No. 200002 (collectively, "Cancellation Fees"), pursuant to Government Code Section 51283(c).

L. In accordance with Government Code Section 51283(e), the Cancellation Fees are collected and transmitted by the County Treasurer to the State of California to be deposited in the State's General Fund.

M. According to Government Code Section 51283 and County of Riverside Resolution No. 84-526 Section 513(3), if the Board finds it is in the public interest to do so, the Board may extend the time for making the Agricultural Preserve cancellation fee payment contingent upon the future use made of the land and its economic return to the landowner if all of the factors described in Government Code Section 51283, subsection (c) are met.

N. Resolution No. 2021-110 recommends deferral or extension of the time for making the \$454,335.00 cancellation fee for APD No. 200001 by making the determinations pursuant to Government Code Section 51283(c).

O. Resolution No. 2021-111 recommends deferral or extension of the time for making the \$868,665.00 cancellation fee for APD No. 200002 by making the required determinations pursuant to Government Code Section 51283(c).

P. The Parties recognize that even if the Board makes the Government Code Section 51283, subsection (c) findings for deferral or extension of time for the Cancellation Fees, the California Secretary of the Natural Resources Agency must also approve the deferral by reviewing the findings of the Board, the evidence in record of the Board, and any other evidence the Secretary may receive concerning the deferral or extension of time.

Q. In the event a judicial challenge is commenced against APD No. 200001, APD No. 200002, TPM No. 37667, the future final map related to TPM No. 37667, Resolution No. 2020-083, Resolution No. 2020-083, Resolution No. 2021-110, or Resolution No. 2021-111 ("Project"), the County has requested and the Property Owner has agreed to defend, indemnify and hold harmless the County, its agents, officers, or employees from any claim, action or proceeding against the County, its agents, officers, or employees to attack, set aside, void or annul any approval of the County, its advisory agencies, appeal boards, or legislative body concerning the Project or its associated environmental documentation ("Litigation").

R. The Parties desire to enter into this Agreement to define the terms of the deferral for APD No. 200001 and APD No. 200002 and the Property Owner's indemnification obligation for the Project.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, the Recitals set forth above which are incorporated herein by this reference, and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereto agree as follows:

1. Deferral Payment Terms. On or before the transfer of title for each legal lot created by the final map for TPM No. 37667, the Property Owner shall transmit or cause to be transmitted a minimum amount of \$94,500.00 to the County Treasurer –Tax Collector in accordance with Government Code Section 51283(e). Property Owner shall pay the total amount of the Cancellation Fees due and payable no later than August 20, 2023.

2. Agreement Runs with the Land. This Agreement shall be recorded on the Assessor's Parcel Numbers 943-260-027 and 943-070-003 upon the Effective Date and shall run with the land. The obligations of the Property Owner set forth in this Agreement shall not be considered fully satisfied until the total amount of the Cancellation Fees have been paid to the County in accordance with the terms of this Agreement. Once the Property Owner pays the total amount of the Cancellation Fees, the recorded Agreement may be removed.

3. Recording of Final Map. The final map for TPM No. 37667 shall not be recorded until this Agreement is effective and recorded in accordance with Paragraph 2, and the final map complies with all applicable laws and regulations including, but not limited to, Ordinance No. 460 and the Subdivision Map Act.

4. Effective Date/Termination. This Agreement is effective only upon the last date of signature by all Parties and approval of the deferral of the Cancellation Fees by both the Riverside County Board of Supervisors and the California Secretary of the Natural Resources Agency. In the event that the Secretary of the Natural Resources Agency does not approve the deferral of the Cancellation Fees, this Agreement is deemed null and void and will automatically terminate. In the event this Agreement is terminated, the Property Owner shall pay the Cancellation Fees pursuant to the Certificates of Tentative Cancellation in Resolution No. 2020-083 and Resolution No. 2020-084.

5. Breach. Failure of Property Owner to make the deferral payment as specified in Paragraph 1 of the Agreement shall be considered a breach of this Agreement. Should Property Owner breach the deferral payment in Paragraph 1, the County shall give Property Owner written notice of the breach. After five (5) days of said notice, if Property Owner has not cured the breach, Property Owner will be in default of this Agreement and the Cancellation Fees will be immediately due. If the Property Owner is unable to pay the Cancellation Fees enumerated in the Certificates of Tentative Cancellation, the County may pursue any and all appropriate legal remedies to enforce the Agreement and payment of the Cancellation Fees, including, but not limited to, utilizing Section 511 of Resolution No. 84-526 and Government Code section 51283.4(c) to withdraw the Certificate of Tentative Cancellation, as follows:

- a. The Property Owner shall notify the Board of the particular condition or contingency that the Property Owner is unable to satisfy.
- b. Within 30 days of receipt of such notice, and upon a determination that the Property Owner is unable to satisfy the conditions and contingencies listed, the Board shall execute a certificate of withdrawal of tentative approval of a cancellation of contract and cause the same to be recorded.
- c. Property Owner shall not be entitled to the refund of any cancellation fee paid.

In the event of a default, Property Owner shall remain responsible for any costs and attorney's fees awarded by the Court or as a result of settlement and other expenses incurred by the County related to the Litigation or settlement.

6. Non-Waiver of Attorneys' Fees Related To Enforcement of the Agreement. Should any Party hereto institute any legal action or proceedings to enforce any provisions hereto or for damages by reason of any alleged breach of any provision of this Agreement, the prevailing Party in such an enforcement action shall be entitled to receive from the losing Party all of its costs and expenses, including reasonable attorneys' fees, court costs, and disbursements actually and reasonably incurred in connection with said proceeding.

7. Indemnification. Property Owner shall defend, indemnify and hold harmless the County and its Agencies, Districts, Special Districts and Departments, their respective directors, officers, Board of Supervisors, elected and appointed officials, employees, agents and representatives agents, officers and employees ("Indemnities") from any claim, action, or proceeding brought or asserted by a third person or entity against the Indemnities to attack, set aside, void, or annul this Agreement or any other action arising from or in connection with this Agreement or Project, including but not limited to, the approval of the Project, by the County or any of its agencies, departments, commissions, agents, officers or employees or to impose personal liability against such agents, officers or employees resulting from their involvement in this Agreement or Project, which claim, action, or proceeding is brought within the time period provided by law, including any claim for private attorney general fees claimed by or awarded to any Party from the County.

Property Owner shall defend, at their sole expense, all costs and fees including, but not limited to, attorney fees, cost of investigation, defense, and settlements or awards, the County, its Agencies, Districts, Special Districts and Departments, their respective directors, officers, Board of Supervisors, elected and appointed officials, employees, agents and representatives in any claim or action based upon such alleged acts or omissions. To the extent that the County uses any of its resources responding to such claims, action, or proceeding, Property Owner will reimburse the County within thirty (30) calendar days of the submission of an itemized statement for these resources. Such resources include, but are not limited to the reasonable expenses and charges related to staff time including the Office of County Counsel, court costs, and any other reasonable direct or indirect costs associated with responding to the claim, action or proceeding.

Property Owner's obligation hereunder shall be satisfied when Property Owner has provided to County the appropriate form of dismissal relieving County from any liability for the action or claim involved.

8. Defense Cooperation. Property Owner and the County shall reasonably cooperate in all aspects of the Litigation. Nothing contained in this Agreement, however, shall be construed to limit the discretion of County, in the interest of the public welfare, to settle, defend, appeal or to decline to settle or to terminate or forego defense or appeal of the Litigation. It is also understood and agreed that all litigation pleadings are subject to review, revision and approval by County's Office of County Counsel.

9. Representation and Payment for Legal Services Rendered. County shall have the absolute right to approve any and all counsel retained to defend County in the Litigation. Property Owner shall pay the attorneys' fees and costs of the legal firm retained by Property Owner to represent the County in the Litigation. Failure by Property Owner to pay such attorneys' fees and costs may be treated as a default of Property Owner's obligations under this Agreement.

10. Payment for County's Litigation Costs. Payment for County's costs related to the Litigation shall be made on a deposit basis. Litigation costs include any associated costs, fees, damages, and expenses as further described in Section 1. herein as Indemnification Obligation. Within thirty (30) days of receipt of notice from County that Litigation has been initiated against the Project, Property Owner shall initially deposit with the County's Planning Department the total amount of Twenty Thousand Dollars (\$20,000). Property Owner shall deposit with County such additional amounts as County reasonably and in good faith determines, from time to time, are necessary to cover costs and expenses incurred by the County, including but not limited to, the Office of County Counsel, Riverside County Planning Department and the Riverside County Clerk of the Board associated with the Litigation. Within ten (10) days of written notice from County, Property Owner shall make such additional deposits. Collectively, the initial deposit and additional deposits shall be referred to herein as the "Deposit."

11. Return of Deposit. County shall return to Property Owner any funds remaining on deposit after ninety (90) days have passed since final adjudication of the Litigation.

12. Notices. For all purposes herein, notices shall be effective when personally delivered, delivered by commercial overnight delivery service, or sent by certified or registered mail, return receipt requested, to the appropriate address set forth below:

County:
Office of County Counsel
Attn: Sarah Moore
3960 Orange Street, Suite 500
Riverside, CA 92501

Property Owner:
Sirah Vineyard Development
Corporation
Attn: Jeff Comerchero, James A. Lytle
41391 Kalmia Street, Suite 200
Murrieta, CA 92562

13. County Review of the Deferral. Nothing in this Agreement shall be construed to limit, direct, impede or influence the County's review and consideration of Resolution No. 2021-110 and Resolution No. 2021-111.

14. Waiver. Any waiver by County or Property Owner of any breach by the other Party of any one or more of the terms of this Agreement shall not be construed to be a waiver of any subsequent or other breach of the same or of any other term hereof. Failure on the part of County or Property Owner to require from the other Party exact, full and complete compliance with any terms of this Agreement shall not be construed as in any manner changing the terms hereof, or estopping County or Property Owner from enforcement hereof.

15. Complete Agreement. This Agreement is intended by the Parties hereto as a final expression of their understanding with respect to the subject matter hereof and as a complete and

exclusive statement of the terms and conditions thereof and supersedes any and all prior and contemporaneous agreements and understandings, oral and written, in connection therewith. This Agreement may be changed or modified only upon the written consent of the Parties hereto.

16. Governing Law. This Agreement shall be construed in accordance with the laws of the State of California.

17. No Assignment. The Property shall not assign this Agreement without the written consent of County. Any attempt of Property Owner to delegate or assign any interest without the written consent of County herein shall be deemed void and of no force or effect.

18. Amendment and Waiver. No modification, waiver, amendment or discharge of this Agreement shall be valid unless the same is in writing and signed by all Parties.

19. Severability. If any term, provision, covenant or condition of this Agreement is held to be invalid, void or otherwise unenforceable, to any extent, by any court of competent jurisdiction, the remainder of this Agreement shall not be affected thereby, and each term, provision, covenant or condition of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

20. Survival of Indemnification. The Parties agree that this Agreement shall constitute a separate agreement from approval of Resolution No. 2021-110 and Resolution No. 2021-111, and if Resolution No. 2021-110 and Resolution No. 2021-111, in part or in whole, is invalidated, rendered null or set aside by a court of competent jurisdiction, the Parties agree to be bound by the terms of this Agreement, which shall survive such invalidation, nullification or setting aside.

21. Interpretation. The Parties have been advised by their respective attorneys, or if not represented by an attorney, represent that they had an opportunity to be so represented in the review of this Agreement. Any rule of construction to the effect that ambiguities are to be resolved against the drafting Party shall not be applied in interpreting this Agreement.

22. Third Party Beneficiary. As the recipient of the Cancellation Fees, the State of California is considered a Third Party Beneficiary to this Agreement and may enforce the provisions of this Agreement. Except for the State of California, no other person or entity shall have any right or action based upon the provisions of this Agreement.

23. Captions and Headings. The captions and section headings used in this Agreement are inserted for convenience of reference only and are not intended to define, limit or affect the construction or interpretation of any term or provision hereof.

24. Jurisdiction and Venue. Any action at law or in equity arising under this Agreement or brought by a Party hereto for the purpose of enforcing, construing or determining the validity of any provision of this Agreement shall be filed in the Courts of Riverside County, State of California, and the Parties hereto waive all provisions of law providing for the filing, removal or change of venue to any other court or jurisdiction.

25. Counterparts: Facsimile & Electronic Execution. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same document. To facilitate execution of this Agreement, the Parties may execute and exchange facsimile or electronic counterparts, and facsimile or electronic counterparts shall serve as originals. Each Party of this Agreement agrees to the use of electronic signatures, such as digital signatures that meet the requirements of the California Uniform Electronic Transactions Act ((“CUETA”) Cal. Civ. Code §§ 1633.1 to 1633.17), for executing this Agreement. The Parties further agree that the electronic signatures of the Parties included in this Agreement are intended to authenticate this writing and to have the same force and effect as manual signatures. Electronic signature means an electronic sound, symbol, or process attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign the electronic record pursuant to the CUETA as amended from time to time. The CUETA authorizes use of an electronic signature for transactions and contracts among Parties in California, including a government agency. Digital signature means an electronic identifier, created by computer, intended by the Party using it to have the same force and effect as the use of a manual signature, and shall be reasonably relied upon by the Parties. For purposes of this section, a digital signature is a type of "electronic signature" as defined in subdivision (i) of Section 1633.2 of the Civil Code.

26. Joint and Several Liability. In the event there is more than one Property Owner, the liability of Property Owner shall be joint and several, and Property Owner each of them shall be jointly and severally liable for performance of all of the obligations of Property Owner under this Agreement.

(The remainder of page is intentionally left blank.)

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year set forth below.

COUNTY OF RIVERSIDE, a political subdivision
of the State of California

Dated: 06-08-2021

By: Karen S. Spiegel
Karen Spiegel
Chair, Board of Supervisors

ATTEST:

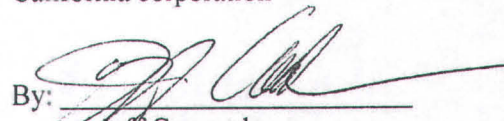
KECIA HARPER
Clerk of the Board

By: [Signature]
Deputy
(SEAL)

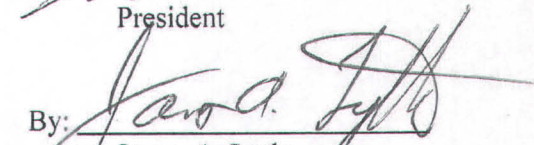
PROPERTY OWNER:

Sirah Vineyard Development Corporation, a
California corporation

Dated: 5/17/2021

By: 
Jeff Comerchero
President

Dated: 5/17/2021

By: 
James A. Lytle
Secretary

From: albia miller <stopbuildinganything@gmail.com>
Sent: Tuesday, June 8, 2021 10:45 AM
To: COB
Attachments: wineries june 8, 2021.docx

CAUTION: This email originated externally from the **Riverside County** email system.
DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

Offices of Miller, Catlin, Rivera
P.O. Box 1341 Elsinore, California 92531
June 8, 2021

21.3 and 21.4

Due to Pierce's Disease destroying so much of the Wine County's Agricultural Grape Crops, the predator developers have moved in on the area and created more heat with hotels and housing and parking lots and destroyed more crops. Therefore, they are planting buildings and not food. Criminal shame. Don't blame it on the Pierce insect, blame it on greed that has changed the weather.

It will cost former Vineyard owners up to \$30,000 an acre to replant Vineyards and no guarantee Pierce won't move in in the first 3 years. This board thinks it alright to allow the Mediterranean climate to be destroyed so there won't be wineries, or horse property, and only houses. A land that is made for growing food for humanity is turned into over heated concrete and roof tops. All voting for that need to be recalled and in some mental retraining program. No amount of research is going to stop some insect from taking over, so stop the development of Wine country including any project permitted by the General Plan of Temecula Valley Wine Country Policy Area and implemented through the WC-W Zone.

People trying to get their money back or establishing a Fee cancellation need to let land go fallow until the heat decreases. Acquire a farm disaster subsidy from the Federal government and teach Riverside County a lesson of necessity by saying you can't grow grapes under these conditions and the County and all its cities need to stop permitting more housing when its too crowded to even shop by noon in the towns.

STATE OF CALIFORNIA - THE RESOURCES AGENCY
DEPARTMENT OF FISH AND GAME
ENVIRONMENTAL FILING FEE CASH RECEIPT

2021 JUN 21 10:56

Receipt #: 21-246298

State Clearinghouse # (if applicable):

Lead Agency: CLERK OF THE BOARD OF SUPERVISORS

Date: 05/21/2021

County Agency of Filing: RIVERSIDE

Document No: E-202100496

Project Title: RESOLUTION NO. 2021-110 AND 2021-111 (ADP200001, ADP200002)

Project Applicant Name: CLERK OF THE BOARD OF SUPERVISORS

Phone Number: (951) 955-1195

Project Applicant Address: 4080 LEMON STREET, 1ST FLOOR, ROOM 127, RIVERSIDE, CA 92501

Project Applicant: LOCAL PUBLIC AGENCY

CHECK APPLICABLE FEES:

☐ Environmental Impact Report

☐ Negative Declaration

☐ Application Fee Water Diversion (State Water Resources Control Board Only)

☐ Project Subject to Certified Regulatory Programs

☐ County Administration Fee

☐ Project that is exempt from fees (DFG No Effect Determination (Form Attached))

☐ Project that is exempt from fees (Notice of Exemption)

\$0.00

Total Received \$0.00

Signature and title of person receiving payment:

James A. Zimmerman Deputy

Notes:

6/8/21 21.4
2021-6-150339



Lead Agency: Clerk of the Board of Supervisors
ATTN: Robert Flores
Address: 4080 Lemon Street, 1st Floor, Room 127
Riverside, CA 92501

FILED / POSTED

County of Riverside
Peter Aldana
Assessor-County Clerk-Recorder

E-202100496
05/21/2021 09:39 AM Fee: \$ 0.00
Page 1 of 2

Removed *5-26-21* By: *[Signature]* Deputy



(SPACE FOR CLERK'S USE)

Project Title

RESOLUTION NO. 2021-110 and 2021-111 (ADP200001, ADP200002)

Filing Type

- ☐ Environmental Impact Report
- ☐ Mitigated/Negative Declaration
- ☐ Notice of Exemption
- ☒ Other: NOTICE OF PUBLIC HEARING

Notes

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON THE ADOPTION OF RESOLUTIONS AND THE APPROVAL OF AGREEMENT FOR DEFERRAL OF FEE IN THE THIRD SUPERVISORIAL DISTRICT

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, June 08, 2021 at 10:00 A.M.** or as soon as possible thereafter, to consider the Planning Department's recommended approval of **Resolution No. 2021-110**, which proposes a finding in favor of deferring the cancellation fee for Agricultural Preserve Case No. 200001, which is related to the diminishment of the Rancho California Agricultural Preserve No. 3, Map No. 108, as amended by Map No. 930 and further amended by Map No. 200001; and **Resolution No. 2021-111**, which proposes a finding in favor of deferring the cancellation fee for Agricultural Preserve Case No. 200002, which is related to the disestablishment of the Rancho California Agricultural Preserve No. 35, Map No. 547, as amended by Map No. 929 and further amended by Map No. 200002; an agreement that sets terms and obligations for payment of deferred fee.

The Riverside County Planning Department recommends that the Board of Supervisors approve **Resolution No. 2021-110, Resolution No. 2021-111; and approve and authorize the chair to execute the agreement between the County of Riverside and Sirah Vineyard Development Corporation.**

The Planning Department's report package for the project may be viewed from the date of this notice until the public hearing, Monday through Friday, from 8:00 a.m. to 5:00 p.m. at the Riverside County Planning Department at 4080 Lemon Street, 12th Floor, Riverside, California 92501.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT ROBERT FLORES, PRINCIPAL PLANNER, AT (951)-955-1195 OR EMAIL RFLORES@RIVCO.ORG.

Any person wishing to testify in support of or in opposition to the project may do so in writing between the date of this notice and the public hearing, or may appear and be heard at the time and place noted above. All written comments received prior to the public hearing will be submitted to the Board of Supervisors and the Board of Supervisors will consider such comments, in addition to any oral testimony, before making a decision on the project.

If you challenge the above item in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence to the Planning Department or Board of Supervisors at, or prior to, the public hearing. Be advised that as a result of the public hearing and the consideration of all public comment, written and oral, the Board of Supervisors may amend, in whole or in part, the project and/or the related environmental document. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the project, may be changed in a way other than specifically proposed.

Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Clerk of the Board at (951) 955-1069, at least 72 hours prior to hearing.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, and Post Office Box 1147, Riverside, CA 92502-1147 or email cob@rivco.org

Dated: May 20, 2021

Kecia R. Harper, Clerk of the Board
By: Hannah Lumanauw, Board Assistant