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

ITEM: 21.4
(ID # 14883)
MEETING DATE:
Tuesday, September 14, 2021

FROM : TLMA-PLANNING:

SUBJECT: TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: PUBLIC HEARING ON CHANGE OF ZONE NO. 1900019, ADOPTION OF ORDINANCE NO. 348. 4974 AGRICULTURAL PRESERVE ENLARGEMENT NO. 180007, RESOLUTION NO. 2021-171, AND ASSOCIATED LAND CONSERVATION CONTRACT - CEQA EXEMPT - Applicant: The Lin Hu Revocable Living Trust – First Supervisorial District – Rancho California Zoning Area – Southwest Area Plan – Rural: Rural Mountainous (RM) (10 Acre Minimum) – 9.55 Acres – Location: North of Buena Vista Road, south of Carancho Road, east of Los Gatos Road and west of El Calamar Road – Zoning: Rural Residential (R-R) - REQUEST: Change of Zone No. 1900019 proposes to change the site's zoning classification from Rural Residential (R-R) to Light Agriculture (A-1). Agricultural Preserve Enlargement No. 180007 proposes to enlarge the Rancho California Agricultural Preserve No. 19 by 9.55 acres and establish a land conservation contract - APNs: 933-120-038 (9.55 total acres). [Applicant Fees 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. **FIND** that the project is **EXEMPT** from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15317 (Open Space Contracts or Easements) and 15061(b)(3) (Common Sense Exemption), based on the findings and conclusions in the staff report; and,

Continued on page 2

ACTION:Policy

John Hildebrand, Planning Director 9/7/2021

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Washington and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended and Ordinance 348.4974 is adopted with waiver of the reading.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: September 14, 2021
xc: Planning, Co.Co., MC/COBAB, Recorder, State of CA, 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:

2. **APPROVE CHANGE OF ZONE NO. 1900019**, to amend the zoning classification for the subject property from Rural Residential (R-R) to Light Agriculture (A-1), in accordance with the Change of Zone Exhibit 3 attached hereto, and based on the findings and conclusions provided in the staff report; and,

3. **ADOPT ORDINANCE NO. 348.4974**, amending the zoning in the Rancho California Area shown on Map No. 2.2471, Change of Zone No. 1900019, attached hereto and incorporated herein by reference; and,

4. **APPROVE AGRICULTURAL PRESERVE ENLARGEMENT NO. 180007**, a proposal to enlarge the Rancho California Agricultural Preserve No. 19, as amended through Map No. 964, based upon the findings and conclusions provided in Comprehensive Agricultural Preserve Technical Advisory Report, attached hereto and incorporated herein by reference, and the findings and conclusion in the staff report; and,

5. **ADOPT RESOLUTION NO. 2021-171,** enlarging the Rancho California Agricultural Preserve No. 19, as amended through Map No. 964, based on the findings and conclusions in the attached resolution and staff report; and,

6. **APPROVE and AUTHORIZE** the Chair of the Board of Supervisors to execute the attached land conservation contract with Lin Hu, trustee of the Lin Hu Revocable Living Trust dated December 7, 2004, and Kan Cong, trustee of the Kan Cong Revocable Living Trust dated May 30, 2006, for the real property located within the Rancho California Agricultural Preserve No. 19, as amended by Map No. 180007; and,

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

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

PROJECT BACKGROUND:

Pursuant to Board of Supervisors Resolution No. 84-526 Section 204, which outlines the rules and regulations governing agricultural preserves in Riverside County, only land that currently has an agricultural zoning classification as defined in Section 21.3(b) of Ordinance No. 348, or for which the applicant has filed a request for a change of zone to such zoning, shall be included within the agricultural preserve. The project site's existing zoning classification of Rural Residential (R-R) zone is not considered an agricultural zone, pursuant to Ordinance No. 348, Section 21.3.b; therefore, a change of zone application needs to be processed with an Agricultural Preserve Case. Change of Zone No. 1900019 (CZ1900019) is a request to change the zoning classification of the project site from Rural Residential (R-R) to Light Agriculture (A-1). The proposed A-1 zone classification is an agricultural zone, pursuant to Section 21.3b of Ordinance No. 348 and is consistent with the site's General Plan Foundation Component and land use designation of Rural Mountainous (RM). A-1 is consistent with the site's current and future use of agriculture. Change of Zone No. 1900019 was presented to the Planning Commission on March 24, 2021, and the Commission recommended that the Board of Supervisors tentatively approve the change of zone by a vote of 5-0.

The County's Agricultural Preserve program and State Williamson Act are designed to encourage agricultural use of suitable land instead of converting the land to non-agricultural uses. Properties that are within an agricultural preserve and have a land conservation contract provides the property owner with a reduction in the property taxes for their agricultural land, in exchange for long-term commitments to retain the land in agriculture. The Rancho California Agricultural Preserve No. 19 was established on February 3, 1976 by the Board of Supervisors with the adoption of Map No. 355 and consisted of approximately 319.22 acres. The Rancho California Agricultural Preserve No. 19 has been amended since then and is currently approximately 379.95 acres. Approval of Change of Zone No. 1900019 and Agricultural Preserve Enlargement No. 180007 referred as "the Project," will expand the Rancho California Agricultural Preserve No. 19 to an estimated 389.5 acres.

Agricultural Preserve Enlargement No. 180007 (APE 180007), is a request by the property owners, Lin Hu, trustee of the Lin Hu Revocable Living Trust dated December 7, 2004, and Kan Cong, trustee of the Kan Cong Revocable Living Trust dated May 30, 2006, to enlarge the Rancho California Agricultural Preserve No. 19, as amended through Map No. 964, and to enter a land conservation contract, pursuant to the Williamson Act (California Land Conservation Act of 1965, Government Code § 51200 et. seq.). The subject property is approximately 9.55 acres and is adjacent to the existing Rancho California Agricultural Preserve No. 19. On September 11, 2019, APE180007 was presented to and was recommended for approval by the Comprehensive Agricultural Preserve Technical Advisory Committee (CAPTAC). The CAPTAC reports that the Project's site is currently utilized for the harvesting of citrus fruit. In addition, CAPTAC determined that irrigation water is available, and the site is suitable for commercial agricultural uses.

Environmental Review/Findings

This Project is exempt from the California Environmental Quality Act (CEQA) review pursuant to Article 5, Section 15061(b)(3), Common Sense Exemption, since it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. This Project is also exempt from CEQA review pursuant to Article 19 Categorical Exemption, Section 15317, which provides an exemption from the CEQA process for "the establishment of agricultural preserves, the making and renewing of open space contracts under the Williamson Act, or the acceptance of easements or fee interests in order to maintain the open space character of the area." The findings in the attached staff report for both CEQA exemptions are incorporated herein by reference.

Impact on Residents and Businesses

The Project site will not have a significant effect on surrounding property owners, because the Project will not result in any substantial changes to the environment. The site is currently utilized for the harvesting of citrus fruit and no new land use or development activity is proposed at this time.

ATTACHMENTS:

A. **COMPREHENSIVE AGRICULTURAL PRESERVE TECHNICAL ADVISORY COMMITTEE REPORT**
B. **PLANNING COMMISSION MINUTES AND STAFF REPORT AND EXHIBITS**
C. **ORDINANCE NO. 348.4974**
D. **RESOLUTION NO. 2021-171**
E. **LAND CONSERVATION CONTRACT**

Scott Bruckner 9/3/2021 Gregory P. Priamos, Director County Counsel 9/2/2021

ORDINANCE NO. 348.4974

AN ORDINANCE OF THE COUNTY OF RIVERSIDE

AMENDING ORDINANCE NO. 348 RELATING TO ZONING

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1. Section 4.1 of Ordinance No. 348, and official Zoning Plan Map No. 2, as amended, are further amended by placing in effect in the Rancho California Area, the zone or zones as shown on the map entitled "Change of Official Zoning Plan Amending Ordinance No. 348, Map No. 2.2471, Change of Zone Case No. 1900019" which map is made a part of this ordinance.

Section 2. This ordinance shall take effect 30 days after its adoption.

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

By: Karen S. Spiegel

Chair, Board of Supervisors

KAREN SPIEGEL

ATTEST:
KECIA HARPER-IHEM
Clerk of the Board

By: [illegible]

(SEAL)

APPROVED AS TO FORM
September 1, 2021

By: [illegible]

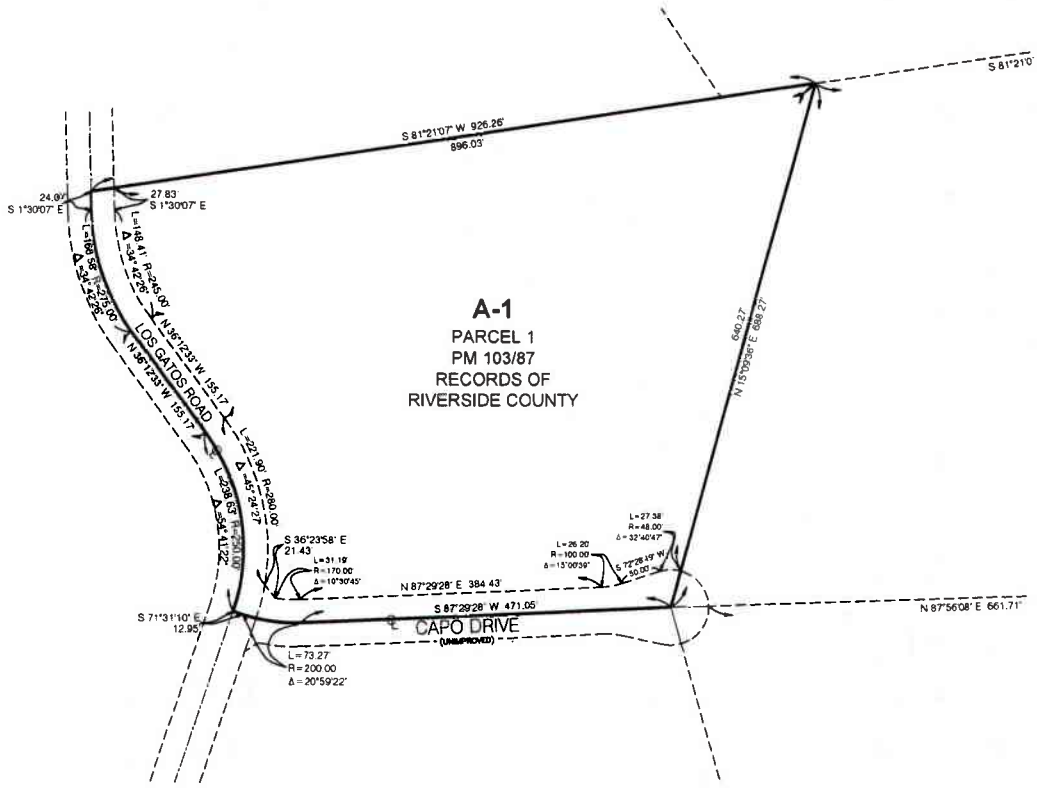
AARON C. GETTIS
Supervising Deputy County Counsel

ACG:vi
\\COUNSL-16PL01\PROLAW_DOCUMENTS\202138985\ORDINANCE\VI\785180.DOC

SEP 14 2021 21.4

RANCHO CALIFORNIA AREA

SEC. 15 T.8S. R. 4W. S.B.B. & M.



A-1 LIGHT AGRICULTURE

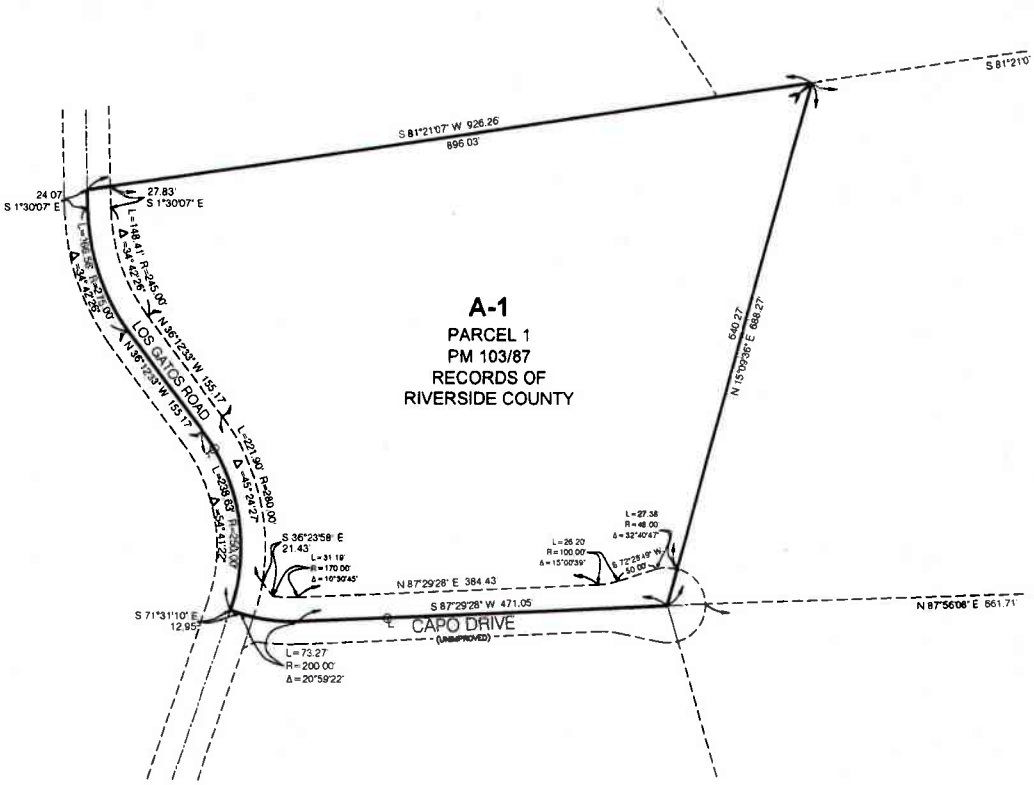
MAP NO. 2.2471
CHANGE OF OFFICIAL ZONING PLAN
AMENDING
MAP NO. 2 ORDINANCE NO. 348
CHANGE OF ZONE CASE NO. 1900019
ADOPTED BY ORDINANCE NO. 348.4974
*(DATE:)*_____
RIVERSIDE COUNTY BOARD OF SUPERVISORS

1 inch = 100 ft.
GRAPHIC SCALE
100 0 50 100
(IN FEET)

APN(s): 933-120-038

RANCHO CALIFORNIA AREA

SEC. 15 T.8S. R. 4W. S.B.B. & M.



A-1 LIGHT AGRICULTURE

MAP NO. 2.2471
CHANGE OF OFFICIAL ZONING PLAN
AMENDING
MAP NO. 2 ORDINANCE NO. 348
CHANGE OF ZONE CASE NO. 1900019
ADOPTED BY ORDINANCE NO. 348.4974
*(DATE:)*_____
RIVERSIDE COUNTY BOARD OF SUPERVISORS

1 Inch = 100 ft.
GRAPHIC SCALE
100 0 50 100
(IN FEET)

APN(s): 933-120-038

STATE OF CALIFORNIA)
) ss
COUNTY OF RIVERSIDE)

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said county held on September 14, 2021, the foregoing ordinance consisting of 2 Sections was adopted by the following vote:

AYES: Jeffries, Spiegel, Washington, Perez and Hewitt

NAYS: None

ABSENT: None

DATE: September 14, 2021

KECIA R. HARPER
Clerk of the Board

BY: Deputy

SEAL

Item 21.4

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

2021-0635336
10/27/2021 01:11 PM Fee: $ 0.00
Page 1 of 7
Recorded in Official Records
County of Riverside
Peter Aldana
Assessor-County Clerk-Recorder

339

THIS SPACE FOR RECORDERS USE ONLY

RESOLUTION NO. 2021-171

Title of Document

APPROVING AGRICULTURAL PRESERVE ENLARGEMENT NO 180007 AND ENLARGING THE RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO 19

(GOVERNMENT CODE SECTION 51283.4)
(First Supervisorial District)

(TLMA-Planning Department ~ Item 21.4 of 09/14/2021)

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION

Board of Supervisors **County of Riverside**

RESOLUTION NO. 2021-171

APPROVING AGRICULTURAL PRESERVE ENLARGEMENT NO. 180007

AND ENLARGING THE RANCHO CALIFORNIA

AGRICULTURAL PRESERVE NO. 19

WHEREAS, the Rancho California Agricultural Preserve No. 19, Map No. 355 was established on February 3, 1976 by the Board of Supervisors and originally consisted of 319.22 acres; and,

WHEREAS, the Rancho California Agricultural Preserve No. 19, Map No. 355 was subsequently amended by Map Nos. 396, 408, 430, 436, 439, 480, 494, 600, and 964, and currently consists of approximately 379.95 acres; and,

WHEREAS, the Rancho California Agricultural Preserve No. 19 is generally located North of Carancho Road, and Los Gatos Road, within the Southwest Area Plan; and,

WHEREAS, Lin Hu, trustee of the Lin Hu Revocable Living Trust dated December 7, 2004, and Kan Cong, trustee of the Kan Cong Revocable Living Trust, dated May 30, 2006, ("Property Owners") own 9.55 total acres commonly known as Assessor's Parcel No. 933-120-038 ("Property") that is adjacent to the Rancho California Agricultural Preserve No. 19 and located North of Buena Vista Road, South of Carancho Road, East of Los Gatos Road, and West of El Calamar Road; and,

WHEREAS, the Property is currently being used as a farming operation; and,

WHEREAS, the Property Owners desire to add the Property to the existing Rancho California Agricultural Preserve No. 19 and submitted a Petition for Enlargement of an Agricultural Preserve on November 28, 2018; and,

WHEREAS, the Property Owners have signed the Land Conservation Contract for the Property, and, once the Property is added to the Rancho California Agricultural Preserve No. 19, the Land Conservation Contract will be recorded and go into effect pursuant to the Williamson Act (California Land Conservation Act of 1965, Government Code, § 51200 et seq.); and,

FOR APPROVED COUNTY COUNSEL
BY Sarah K. Moore 8/31/21
SARAH K. MOORE DATE

SEP 14 2021 21.4

WHEREAS, Agricultural Preserve Enlargement No. 180007 will add the Property to the Rancho California Agricultural Preserve No. 19 as shown on the attached map titled "MAP NO. 355 RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 19, AMENDED BY MAP NO. 396, 408, 430, 436, 439, 480, 494, 600, 964, 180007", thereby expanding the Rancho California Agricultural Preserve No. 19 to an estimated 389.50 acres; and,

WHEREAS, Agricultural Preserve Enlargement No. 180007 is associated with Change of Zone No. 1900019; and,

WHEREAS, Agricultural Preserve Enlargement No. 180007 and Change of Zone No. 1900019 were duly noticed, pursuant to Resolution No. 84-526, Rules and Regulations Governing Agricultural Preserves and Riverside County Ordinance No. 348; and,

WHEREAS, Agricultural Preserve Enlargement No. 180007 and Change of Zone No. 1900019 were heard concurrently at a public hearing held by the Riverside County Board of Supervisors on September 14, 2021; and,

WHEREAS, at that public hearing, the Board of Supervisors found Agricultural Preserve Enlargement No. 180007 and Change of Zone No. 1900019 exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines sections 15317 (Open Space Contracts or Easements) and 15061(b)(3).

BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the Board of Supervisors of the County of Riverside, State of California, in regular session assembled on September 14, 2021, based on the evidence presented on this matter, both written and oral, that:

1. The above recitals are true and correct and incorporated herein by this reference.
2. The current land use designation for the Property is Rural Mountainous, which allows for limited agricultural land uses. The land use designation is compatible with agricultural preserves because development patterns restricted within this land use designation complement the activities of an Agricultural Preserve.
3. The Property's previous zoning was Rural Residential (R-R), which is not compatible with Agricultural Preserves.

4. Change of Zone No. 1900019 associated with Ordinance No. 348.4974 changes the Property's zoning classification to Light Agriculture (A-1), which is compatible with Agricultural Preserves as defined in Ordinance No. 348.

5. Agricultural Preserve Enlargement No. 180007 is consistent with the County's General Plan because the Property's land use designation is Rural Mountainous (RM) and is used for the harvesting of citrus fruit. In addition, participation in a Land Conservation Contract will protect farmland and agricultural resources which is consistent with the Southwest Area Plan, which states "citrus and avocado groves also provide a viable agricultural product." This project site is located within the Santa Rosa Plateau Policy Area within the Southwest Area Plan (SWAP). The intent of the policy area is to maintain the rural and natural character of the area and to address the long-term stability of the Santa Rosa Plateau Ecological Reserve.

6. The Comprehensive Agricultural Preserve Technical Advisory Committee ("CAPTAC") reviewed Agricultural Preserve Enlargement No. 180007 on September 11, 2019 and found it acceptable.

7. CAPTAC made the following findings for Agricultural Preserve Enlargement No 180007:

   a. The project site is 9.55 acres, the size of which is consistent with the requirements of Resolution No. 84-526.

   b. There is no existence of any scenic value to the lands to be included in the Rancho California Agricultural Preserve No. 19.

   c. No cities are within one mile of the proposed boundary of the enlarged Rancho California Agricultural Preserve No. 19.

   d. The project site is suitable for agricultural uses and has availability of irrigation water.

   e. The project site is used for the harvesting of citrus fruit.

BE IT FURTHER RESOLVED by the Board of Supervisors that the Rancho California Agricultural Preserve No. 19, Map No. 355, amended through Map No. 964, is further amended by adding thereto the area shown on the attached map titled, "MAP NO. 355 RANCHO CALIFORNIA

AGRICULTURAL PRESERVE NO. 19, AMENDED BY MAP NO. 396, 408, 430, 436, 439, 480, 494, 600, 964, 180007", and legally described by the boundary description in the attached Exhibit A, said map and description both being on file in the office of the Clerk of this Board.

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

ROLL CALL:

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

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

Kecia R. Harper, Clerk of said Board

By _____
Deputy

APE180007

For APN/Parcel ID(s):933-120-038

Exhibit A

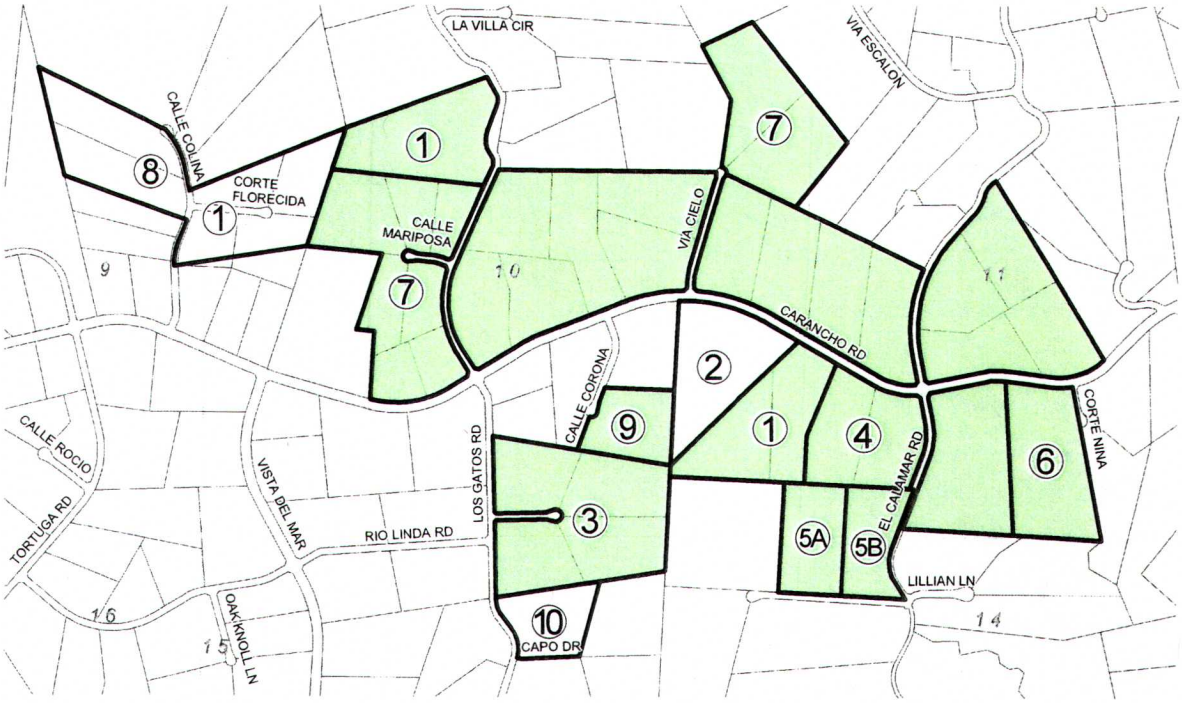
Legal Description

Parcel 1 of Parcel Map No. 14501, in the County of Riverside, State of California, as per Map recorded in Book 103 of Parcel Maps, Page 86 and 87, in the Office of the County Recorder of said County.

MAP NO. 355
RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 19

AMENDED BY MAP NO. 396, 408, 430, 436, 439, 480, 494, 600, 964, 180007

SANTA ROSA RANCHO
POR. P.M. 8/78-83, P.M. 13/84



AMENDMENTS:

NO. 1, (ENLARGEMENT), JANUARY 25, 1977, MAP NO. 396
NO. 2, (ENLARGEMENT), DENIED , MAP NO. 408
NO. 3, (ENLARGEMENT), FEB. 15, 1977 , MAP NO. 430
NO. 4, (ENLARGEMENT), FEB. 15, 1977 , MAP NO. 436
NO. 5A, (ENLARGEMENT), AUG. 27, 2002 , MAP NO. 439
NO. 5B, (ENLARGEMENT), AUG. 21, 1979 , MAP NO. 439
NO. 6, (ENLARGEMENT), FEB. 28, 1979 , MAP NO. 480
NO. 7, (ENLARGEMENT), FEB. 9, 1982 , MAP NO. 494
NO. 8. (ENLARGEMENT), MAY 7, 1985 , MAP NO. 600
NO. 9, (ENLARGEMENT), APRIL 17, 2007 , MAP NO. 964
NO. 10, (ENLARGEMENT), SEPT. 14, 2021 , MAP NO. 180007

N

0 360 720 1,0801,440 Feet

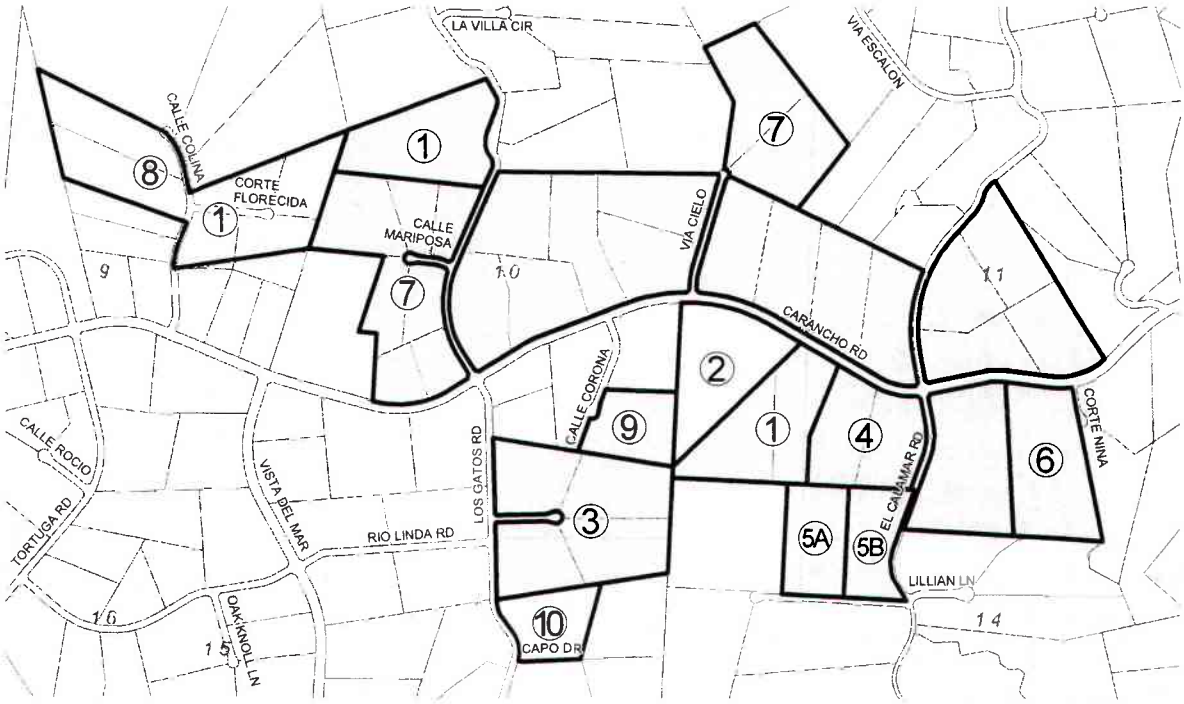
ADOPTED ON FEBRUARY 3, 1976
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA.

COUNTY OF RIVERSIDE

MAP NO. 355
RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 19

AMENDED BY MAP NO. 396, 408, 430, 436, 439, 480, 494, 600, 964, 180007

SANTA ROSA RANCHO
POR. P.M. 8/78-83, P.M. 13/84



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N

0 360 720 1,080 1,440 Feet

ADOPTED ON FEBRUARY 3, 1976
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA.

COUNTY OF RIVERSIDE

RECORDING REQUESTED BY
RIVERSIDE COUNTY

When recorded, return to:

Stop #1010
Clerk of the Board of Supervisors
Riverside CA, 1st Floor

No fee, 6103 Government Code

THIS AREA FOR RECORDER'S USE ONLY

2021-0569659

09/24/2021 09:35 AM Fee: $ 0.00

Page 1 of 5

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

6080

LAND CONSERVATION CONTRACT

COUNTY OF RIVERSIDE, herein called "County," and

Lin Hu, trustee of the Lin Hu Revocable Living Trust dated December 7, 2004
Kan Cong, trustee of the Kan Cong Revocable Living Trust dated May 30, 2006

herein called "Owner," mutually agree:

1. This contract is made pursuant to the California Land Conservation Act of 1965 (Government Code, Section 51200, et seq.) and affects the real property described in Exhibit "A" attached hereto and made a part of this contract, which lies within the Rancho California Agricultural Preserve No. 19, Map No. 180007.

2. This contract shall take effect on January 1, 2022, and shall remain in effect for an initial term of 10 years.

3. On each anniversary date of this contract, one year shall be added to the initial term unless notice of non-renewal shall be given as provided in Section 51245 of the Government Code. Any notice of non-renewal referring to this contract shall be recorded by the County in the office of the County Recorder whenever the contract is not renewed.

4. This contract may be canceled only in accordance with Section 51280, et seq., of the Government Code relating to cancellation, as now written or hereafter amended.

5. When any portion of land subject to this contract is acquired by condemnation of the fee title, or by purchase in lieu thereof, for a public improvement, this contract shall become null and void thereafter as to such portion, and may be amended to correctly reflect the description of any portion not so acquired.

6. In consideration of the execution hereof by County, and the execution by County and other owners within the preserve of similar contracts, the Owner, during the term of this contract, including any renewal period, agrees to use the described land only for agricultural uses and such compatible uses as are permitted by or pursuant to the Uniform Rules established for the administration of agricultural preserves by Riverside County Ordinance Number No. 509. Said Uniform Rules are by this reference incorporated in and made a part of this contract.

7. In consideration of the execution hereof by the Owner and the execution of similar contracts by other property owners within the same agricultural preserve, County agrees not to authorize uses, other than uses permitted by or pursuant to said Uniform Rules, within said agricultural preserve, during the term of this contract or any renewal thereof. Nothing herein shall prohibit a change of boundaries of said agricultural preserve to omit lands not subject to such contract or to include additional lands.

8. Any notice to be given to the Owner pursuant to this contract or said Uniform Rules may be sent by U.S. Mail addressed to the Owner at the address shown below the signature of the Owner. Like notices to County may be sent by U.S. Mail addressed to Clerk, Board of Supervisors, P.O. Box 1010, Riverside, CA 92502-1010. Either party may change such address by notice to the other.

SEP 14 2021 21.4

9. This contract shall constitute a covenant running with the land herein described, and shall be binding upon and inure to the benefit of the heirs, successors and assigns of the parties hereto. This contract may be enforced by either party or by any owner of land within the same agricultural preserve which is subject to a similar contract.

Dated as of: January 1, 2022

STATE OF CALIFORNIA
COUNTY OF RIVERSIDE

BY Karen S. Spiegel
Chairman, Board of Supervisors
KAREN SPIEGEL

ATTEST:
Clerk of the Riverside County Board of Supervisors

By _____
(Seal) Deputy

FORM APPROVED COUNTY COUNSEL
BY Sarah K. Moore 8/31/21
SARAH K. MOORE DATE

OWNER(S) SIGNATURE AND ADDRESS

Owner: Lin Hu

Owner: Kan Cong

Owner: _____

Owner: _____

Mailing Address: _____

NOTARY ACKNOWLEDGMENT

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

STATE OF ~~CALIFORNIA~~ Nevada)
COUNTY OF Clark)
On August 9, 2021 (Date) before me, Jazlyn M. Avila, Notary Public (Name and Title of officer),
personally appeared Lin Hu, Kan Cong (Name(s) of signer(s)),
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of ~~California~~ Nevada that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

{SEAL}

JAZLYN M. AVILA
Notary Public - State of Nevada
County of Clark
APPT. NO. 17-1312-1
My App. Expires Feb. 25, 2025

_____
Notary Public

APE180007

For APN/Parcel ID(s):933-120-038

Exhibit A

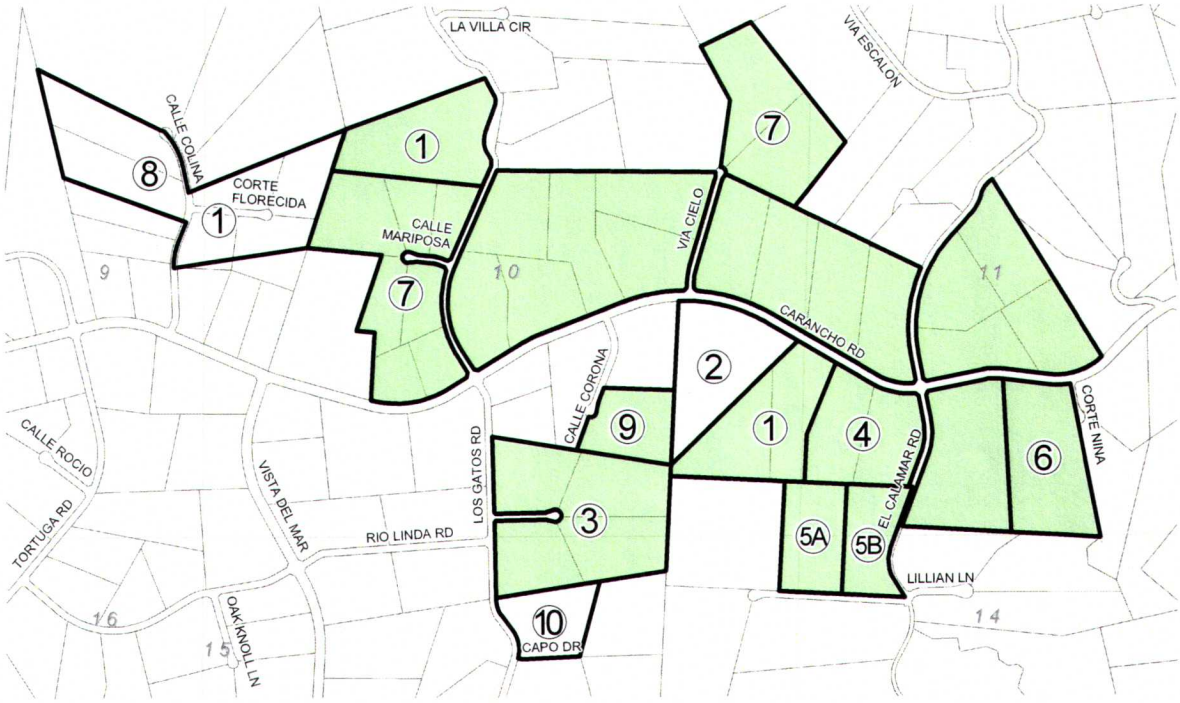
Legal Description

Parcel 1 of Parcel Map No. 14501, in the County of Riverside, State of California, as per Map recorded in Book 103 of Parcel Maps, Page 86 and 87, in the Office of the County Recorder of said County.

MAP NO. 355
RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 19

AMENDED BY MAP NO. 396, 408, 430, 436, 439, 480, 494, 600, 964, 180007

SANTA ROSA RANCHO
POR. P.M. 8/78-83, P.M. 13/84



AMENDMENTS:

NO. 1, (ENLARGEMENT), JANUARY 25, 1977, MAP NO. 396
NO. 2, (ENLARGEMENT), DENIED , MAP NO. 408
NO. 3, (ENLARGEMENT), FEB. 15, 1977 , MAP NO. 430
NO. 4, (ENLARGEMENT), FEB. 15, 1977 , MAP NO. 436
NO. 5A, (ENLARGEMENT), AUG. 27, 2002 , MAP NO. 439
NO. 5B, (ENLARGEMENT), AUG. 21, 1979 , MAP NO. 439
NO. 6, (ENLARGEMENT), FEB. 28, 1979 , MAP NO. 480
NO. 7, (ENLARGEMENT), FEB. 9, 1982 , MAP NO. 494
NO. 8. (ENLARGEMENT), MAY 7, 1985 , MAP NO. 600
NO. 9, (ENLARGEMENT), APRIL 17, 2007 , MAP NO. 964
NO. 10, (ENLARGEMENT), SEPT. 14, 2021 , MAP NO. 180007

N

0 360 720 1,0801,440 Feet

ADOPTED ON FEBRUARY 3, 1976
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA.

COUNTY OF RIVERSIDE

PETER ALDANA
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER

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

www.riversideacr.com

CERTIFICATION

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

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

CLARIFICATION FOR SEAL for the Riverside County Board of Supervisors
(EMBOSSED ON DOCUMENT)

Date: 09-14-2021

Signature: Priscilla Rasso

Print Name: Priscilla Rasso, Board Assistant

ACR 601P-AS4RE0 (Rev. 09/2005)

AGRICULTURAL PRESERVE ESTABLISHMENT/ENLARGEMENT
TECHNICAL ADVISORY COMMITTEE REPORT

Applicant's Name: The Lin Hu Revocable Living Trust Supv. Dist.: 1

Applicant's Address: 2908 La Mesa Dr. Henderson NV, 89014 CAPTAC Date: 5.8.19

1. **Planning Department**

   A. Type of Application: _____ Establish ___x___ Enlarge(APE No.180007)

   B. Acreage: 9.55 acres

   C. Cities within 1 mile: Not within 1 mile of a city

   D. Existing Zoning: Rural Residential (R-R)

   E. Existing Land Use: Agriculture: Lemon Trees (9.55 ac)

   F. General Plan Land Use: Rural: Rural Mountainous (RM)

   G. General Location: North of Buena Vista Road, South of Carancho Road, East of Los Gatos Road, and West of El Calamar Road.

   H. Site APN or Leg. Desc. APNs: 933-120-038 (''Subject Site'')

2. **Agricultural Commissioner**

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

   B. Number and type of livestock: 0

3. **Cooperative Extension**

   A. Suitable commercial agricultural uses: Yes

   B. Availability of irrigation water: Yes

   C. Nuisance effects: None

4. **Natural Resource Conservation Service**

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

B. Comparison of soil acreage (estimated):

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

D. Soils problems:

5. **Assessor**

A. Last annual assessed valuation:

B. Estimated annual assessed valuation:

C. Estimated differential:

D. Penalty fee (if applicable):

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

6. **County Counsel**

7. **Committee recommendation on application:** ___ Approval ___ Denial

Summary and Conclusions:

The Comprehensive Agricultural Preserve Technical Advisory Committee (''CAPTAC'') evaluated the proposed enlargement of an agricultural preserve and request to enter into a land conservation contract (''Request'') for the Subject Site. The purpose of this evaluation is to determine if the proposed Request is consistent with the **Land Conservation Act of 1965** (''Williamson Act'') and **Riverside County Resolution No. 84-526,** ''The Rules and Regulations Governing Agricultural Preserves in Riverside County'' as amended (''Riverside County AG Preserve Rules and Regs'').

Based on a complete evaluation of the Request, CAPTAC was able make the nine necessary findings to conclude that the proposed Request is consistent and recommends that the Riverside County Board of Supervisors **approve** the Request under Agricultural Preserve No. **1063.** CAPTAC affirmed this determination with a **{vote}** to five vote, based on the following findings, pursuant to Section 605(3) of Riverside County AG Preserve Rules and Regs:

I. **Present Zoning of lands proposed to be included in the preserve and surrounding land.**
The Subject Site is zoned R-R. The property to the north is farmland, east, and west and south is vacant land. An application (CZ No. 1900019) has been filed requesting a change of zone for the Subject site to change the zoning classification from Rural Residential (R-R) to Light Agriculture (A-1)10 Acre Minimum, which is considered an ''Agricultural Zone'' by Ordinance No.348.

II. **Present land use of land proposed to be included in the preserve and surrounding properties.**
The Subject Site is used for agricultural purposes and uses (see above: 1.E). The surrounding land appears to be open space, and irrigated farmland, according to aerial imagery.

III. **Whether or not the land proposed to be included in the preserve is presently employed in an agricultural use and, if so, the agricultural commodities grown thereon.**
According to the petition to enlarge an agricultural preserve submitted by the land owner with AG No. 1063, the current agricultural uses of the Subject Site includes commercial crops harvesting for alfalfa.

IV. **The agricultural commodities that may be grown on the property proposed to be included in the preserve taking into consideration the said type, water availability and other conditions that may affect the growing of crops.**

TBD.

V. **Whether or not the existing or proposed agricultural use of the land constitutes or could constitute a nuisance, public or private, to the surrounding lands.**

Due to the rural nature of the area and the vast amounts of open space, the proposed agricultural use is not expected to create a public or private nuisance on surrounding lands.

VI. **The current assessed valuation and the estimated reduction in assessed valuation if the real property proposed to be included in the preserve enters into a land conservation contract.**

TBD.

VII. **A list of cities that are within one mile of the proposed boundaries of the preserve, and any comments expressed by such a city on the application.**

No cities are within one mile of the proposed boundary of the preserve.

VIII. **The existence of any historic or scenic value to the lands proposed to be included in the preserve.**

No historic or scenic value to the Subject Site is known or found in this evaluation. The Subject Site is not close in proximity to the any highways to create a scenic value.

The acreages of each land owner included in the application and total acreage.

The Lin Hu Revocable Living Trust: total acreage is 9.55.

PLANNING COMMISSION
MINUTE ORDER
MARCH 24, 2021

I. AGENDA ITEM 4.1

CHANGE OF ZONE NO. 1900018 – Exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15317 (Open Space Contracts or Easements) and 15061(b)(3) (Common Sense Exemption) – Applicant: WST Group USA, Inc. – First Supervisorial District – Rancho California Zoning Area – Southwest Area Plan – Rural: Rural Mountainous (RM) (10 Acre Minimum) – 19.58 Acres – Location: Northerly of Buena Vista Road, southerly of Carancho Road, easterly of los Gatos Road, and westerly of el Calamar Road – Zoning: Rural Residential (R-R).

II. PROJECT DESCRIPTION:

Change of Zone No. 1900018 proposes to change the site's zoning classification from Rural Residential (R-R) to Light Agriculture (A-1) for two (2) parcels on 19.58 acres – APN's: 933-120-039 and 933-120-040.

III. MEETING SUMMARY:

The following staff presented the subject proposal:
Project Planner: Rob Gonzalez at (951) 955-9549 or email at rgonzalez@rivco.org.

No one spoke in favor, opposition, or in a neutral position.

IV. CONTROVERSIAL ISSUES:

None.

V. PLANNING COMMISSION ACTION:

Public Comments: Closed
Motion by Commissioner Shaffer, 2nd by Commissioner Sanchez
By a vote of 5-0

The Planning Commission Recommends that the Board of Supervisors take the following actions:

FIND the project exempt from the California Environmental Quality Act (CEQA); and,

TENTATIVELY Approve Change of Zone No. 1900018.

CD The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact the TLMA Commission Secretary, Elizabeth Sarabia, at (951) 955-7436 or email at esarabia@rivco.org.

PLANNING COMMISSION
MINUTE ORDER
MARCH 24, 2021

I. AGENDA ITEM 4.2

CHANGE OF ZONE NO. 1900019 – Exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15317 (Open Space Contracts or Easements) and 15061(b)(3) (Common Sense Exemption) – Applicant: The Lin Hu Revocable Living Trust – First Supervisorial District – Rancho California Zoning Area – Southwest Area Plan – Rural: Rural Mountainous (RM) (10 Acre Minimum) – 9.55 Acres – Location: Northerly of Buena Vista Road, southerly of Carancho Road, easterly of los Gatos Road, and westerly of el Calamar Road – Zoning: Light Agriculture (10 Acres Minimum) (A-1-10).

II. PROJECT DESCRIPTION:

Change of Zone No. 1900019 proposes to change the site's zoning classification from Rural Residential (R-R) to Light Agriculture (A-1) for one (1) parcel on 9.55 acres. APN: 937-120-038.

III. MEETING SUMMARY:

The following staff presented the subject proposal:
Project Planner: Rob Gonzalez at (951) 955-9549 or email at rgonzalez@rivco.org.

Spoke in favor:
Lin Hu, Applicant, 702-524-7115

No one spoke in opposition or in a neutral position.

IV. CONTROVERSIAL ISSUES:

None.

V. PLANNING COMMISSION ACTION:

Public Comments: Closed
Motion by Commissioner Shaffer, 2nd by Commissioner Thornhill
By a vote of 5-0

The Planning Commission Recommends that the Board of Supervisors take the following actions:

FIND the project exempt from the California Environmental Quality Act (CEQA); and,

TENTATIVELY Approve Change of Zone No. 1900019.

CD The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact the TLMA Commission Secretary, Elizabeth Sarabia, at (951) 955-7436 or email at esarabia@rivco.org.

PLANNING COMMISSION
MINUTE ORDER
MARCH 24, 2021

I. AGENDA ITEM 4.3

CONDITIONAL USE PERMIT NO. 200027 and DEVELOPMENT AGREEMENT NO. 2000012 – Exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3) (Common Sense), Section 15301 (Existing Facilities), and Section 15303 (New Construction or Conversion of Small Structures) – CEQ200063 – Applicant: I. E. Gardens 2, Inc. c/o Nader Awad and Joshua Naggar – Engineer/Representative: Joshua Naggar and Shade Awad – First Supervisorial District – South Elsinore Zoning Area – Elsinore Area Plan – Community Development: Commercial Retail (CD-CR) – Location: Northerly of Grand Avenue, westerly of Corydon Road, southerly of Union Street, and easterly of Gill Lane – 2.97 Acres – Zoning: General Commercial (C-1/C-P).

II. PROJECT DESCRIPTION:

Conditional Use Permit No. 200027 is a proposal for a Cannabis Microbusiness Facility with Indoor Cultivation, Distribution, and storefront Retail Sales within an existing shopping center. The Cannabis Microbusiness would reside within Units B and G, totaling 9,875 sq. ft., within the existing 24,213 sq. ft. commercial building for the shopping center. Unit B would consist of 2,325 sq. ft. for the cannabis retailer with a reception area, security room, offices, vaults, storage, a breakroom, and restrooms. Unit G would consist of the indoor cultivation at 7,300 sq. ft. with flower rooms, a hanging room, and a veg room and the distribution area at 250 sq. ft. for packaging and deliveries; all totaling 7,550 sq. ft. The existing shopping center provides adequate parking spaces for the proposed facility and the remaining commercial units that are not a part of this project. The facility requires 14 of the existing 180 parking spaces. The project includes improvement to the site's landscaping, parking surface, signage, entrance monument, and exterior building paint. The associated Development Agreement No. 2000012 (DA2000012), has a term of 10 years. It will grant the applicant vesting rights to develop the project in accordance with the terms of DA2000012 and CUP200027 and will provide community benefits to the Elsinore Area. APN: 370-310-007.

III. MEETING SUMMARY:

The following staff presented the subject proposal:
Project Planner: Tim Wheeler at (951) 955-6060 or email at twheeler@rivco.org.

Spoke in favor:
Joshua Naggar, Applicant's Representative, Empire Gardens
Nader Awad, Applicant's Representative, Empire Gardens

No one spoke in opposition or in a neutral position.

IV. CONTROVERSIAL ISSUES:

None.

V. PLANNING COMMISSION ACTION:

Public Comments: Closed
Motion by Commissioner Shaffer, 2nd by Commissioner Thornhill
By a vote of 5-0

The Planning Commission Recommends that the Board of Supervisors take the following actions:

FIND the project exempt from the California Environmental Quality Act (CEQA); and,

TENTATIVELY Approve Development Agreement No. 200012; and,

APPROVE Conditional Use Permit No. 200027, subject to the conditions of approval as modified at hearing.

CD The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact the TLMA Commission Secretary, Elizabeth Sarabia, at (951) 955-7436 or email at esarabia@rivco.org.

PLANNING COMMISSION
MINUTE ORDER
MARCH 24, 2021

I. **AGENDA ITEM 4.4**

GENERAL PLAN AMENDMENT NO. 200001 and CHANGE OF ZONE NO. 1900051 – Exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3) (Common Sense) and Section 15303 (New Construction or Conversion of Small Structures) – Applicant: Wah Taking – Engineer/Representative: Massoud Ghiam – First Supervisorial District – Lakeland Village Zoning District – Elsinore Area Plan – Community Development: Commercial Retail (CD-CR) – 0.13 Acres – Location: Southeasterly of Evergreen Street and southwesterly of Grand Avenue – Zoning: General Commercial (C-1/C-P) – **REQUEST:** The General Plan Amendment is a proposal to change the Land Use designation from Community Development: Commercial Retail (CD-CR) to Community Development: Medium Density Residential (CD-MDR) on the 0.13 acre parcel. The Change of Zone is a proposal to change the existing zoning classification from General Commercial (C-1/C-P) to One-Family Dwellings (R-1) on the 0.13-acre parcel. The purpose behind the General Plan Amendment and Change of Zone is to be able to construct a one family dwelling on the property. A one family dwelling is not permitted by the current zoning on the property. APN: 381-273-004. Project Planner: Russell Brady at (951) 955-3025 or email at rbrady@rivco.org.

II. **PROJECT DESCRIPTION:**

Commercial WECS Permit No. 71, Revised Permit No. 10 proposes to install up to seven (7) new commercial wind turbines up to 499 feet in height with a total project generating capacity of 27 MW. These seven (7) new turbines would replace the 159 turbines currently on the site which are scheduled for decommissioning early 2021 under existing WECS permits, including demolition permits issued by the County. The project also includes associated equipment such as existing on-site substation, temporary construction yard, new meteorological tower, and existing 220 kV transmission line. No work is proposed on existing interconnection line, and the project would use an existing access road from Haugen-Lehmann Way. Variance Case No. 200001 proposes to eliminate the safety setbacks in accordance with Zoning Ordinance No. 348 along the western and northern lot lines from 1.1 times turbine height (549-feet) to 0-feet for wind turbines T-1, T-2A, and T-3A in a rural remote area. APN's 516-020-001 and 516-020-002.

III. **MEETING SUMMARY:**

The following staff presented the subject proposal:
Project Planner: Jay Olivas at (760) 863-7050 or email at jolivas@rivco.org.

No one spoke in favor, opposition, or in a neutral position.

IV. **CONTROVERSIAL ISSUES:**

None.

V. **PLANNING COMMISSION ACTION:**

Public Comments: Closed
Motion by Commissioner Shaffer, 2nd by Commissioner Kroencke
By a vote of 4-0 (Commissioner Thornhill Abstained)

The Planning Commission Recommends that the Board of Supervisors take the following actions:

FIND the project exempt from the California Environmental Quality Act (CEQA); and,

TENTATIVELY Approve General Plan Amendment No. 200001; and,

TENTATIVELY Approve Change of Zone No. 1900051.

CD The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact the TLMA Commission Secretary, Elizabeth Sarabia, at (951) 955-7436 or email at esarabia@rivco.org.

PLANNING COMMISSION
MINUTE ORDER
MARCH 24, 2021

I. **AGENDA ITEM 4.5**
CONDITIONAL USE PERMIT NO. 190031 and DEVELOPMENT AGREEMENT NO. 1900019 – Exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15301 (Existing Facilities) and Section 15061(b)(3) (Common Sense Exemption) – Applicant: F2-Palm Desert, LLC – Fourth Supervisorial District – Bermuda Dunes Zoning District – Western Coachella Valley Area Plan: Community Development: Commercial Retail (CD-CR) (0.20 – 0.35 FAR) – Location: Northerly of Varner Road, easterly of Berkey Drive, southerly of Wildcat Drive, and westerly of Washington Street – 0.5 Acres – Zoning: General Commercial (C-1/C-P).

II. **PROJECT DESCRIPTION:**
Conditional Use Permit No. 190031 proposes to use an existing building as a storefront for a retail cannabis business and office space related to cannabis business. Development Agreement No. 1900019 would impose a lifespan on the proposed cannabis project and provide community benefit to the Bermuda Dunes Area. APN: 748-370-011.

III. **MEETING SUMMARY:**
The following staff presented the subject proposal:
Project Planner: Gabriel Villalobos at (951) 955-6184 or email at gvillalo@rivco.org.

Spoke in favor:
Violeta Agular-Wyrick, Applicant's Representative, Catalyst Cannabis Co.
Compliance Officer, Applicant's Representative, Catalyst Cannabis Co.
Damien Martin, Applicant's Representative,

No one spoke in opposition or in a neutral position.

IV. **CONTROVERSIAL ISSUES:**
None.

V. **PLANNING COMMISSION ACTION:**
Public Comments: Closed
Motion by Commissioner Sanchez, 2nd by Commissioner Leonard
By a vote of 5-0

The Planning Commission Recommends that the Board of Supervisors take the following actions:

FIND the project exempt from the California Environmental Quality Act (CEQA); and,

TENTATIVELY Approve Development Agreement No. 1900019; and,

APPROVE Conditional Use Permit No. 1900031, subject to the conditions of approval.

CD The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact the TLMA Commission Secretary, Elizabeth Sarabia, at (951) 955-7436 or email at esarabia@rivco.org.

PLANNING COMMISSION
MINUTE ORDER
MARCH 24, 2021

I. AGENDA ITEM 4.6

CONDITIONAL USE PERMIT NO. 190034 and DEVELOPMENT AGREEMENT NO. 1900022 – Exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15301 (Existing Facilities) and Section 15061(b)(3) (Common Sense Exemption) – Applicant: EEL – Riverside County, LLC – Fourth Supervisorial District – Thousand Palms Zoning District – Western Coachella Valley Area Plan: Community Development: Light Industrial (CD-LI) (0.25 – 0.60 FAR) – Location: Northerly of Adelaid Street, easterly of Front Street, and southerly of Northshore Street – 0.64 Acres – Zoning: Industrial Park (I-P).

II. PROJECT DESCRIPTION:

Development Agreement No. 1900022 would impose a lifespan on the proposed cannabis project and provide community benefit to the Thousand Palms District. Conditional Use Permit No. 190034 proposes to use an existing 7,734 sq. ft. building as a storefront for a retail cannabis business with office space related to cannabis business and shall only occupy 1,792 sq. ft. of the entire building. APN: 650-360-021.

III. MEETING SUMMARY:

The following staff presented the subject proposal:
Project Planner: Gabriel Villalobos at (951) 955-6184 or email at gvillalo@rivco.org.

No one spoke in favor, opposition, or in a neutral position.

IV. CONTROVERSIAL ISSUES:

None.

V. PLANNING COMMISSION ACTION:

Public Comments: Closed
Motion by Commissioner Sanchez, 2nd by Commissioner Shaffer
By a vote of 5-0

CONTINUED to April 21, 2021.

CD The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact the TLMA Commission Secretary, Elizabeth Sarabia, at (951) 955-7436 or email at esarabia@rivco.org.

PLANNING COMMISSION
MINUTE ORDER
MARCH 24, 2021

I. AGENDA ITEM 4.7

DEVELOPMENT AGREEMENT NO. 1900020, CONDITIONAL USE PERMIT NO. 190032, CHANGE OF ZONE NO. 190035 and CHANGE OF ZONE NO. 2100007 – Exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3) (Common Sense), Section 15301 (Existing Facilities), and Section 15303 (New Construction or Conversion of Small Structures) – CEQ190114 – Applicant: CPR Winchester, LLC – Third Supervisorial District – Winchester Area – Harvest Valley/Winchester Area Plan: Commercial Retail: (CR) (0.20 – 0.35 FAR) – Location: Northerly of Taylor Street, easterly of Winchester Road, southerly of Wesley Street, and westerly of Whittier Avenue – 0.31 Acres – Zoning: Manufacturing – Service Commercial (M-SC).

II. PROJECT DESCRIPTION:

Development Agreement No 1900020 is a proposal whereby the applicant enters into a development agreement with the County of Riverside, consistent with the County's Cannabis Ordinance, and it includeds terms for providing a community benefit to the Winchester Area. Conditional Use Permit No. 190032 is a proposal to utilize an existing building to establish and operate a 900 sq. ft. cannabis retail facility with delivery on a 0.31-acre lot with parking and landscaping. Change of Zone No. 1900035 proposes a change of zone from Manufacturing – Service Commercial (M-SC) to Scenic Highway Commercial (C-P-S). Change of Zone No. 2100007 is a text amendment to Ordinance No. 348 to clarify the distance measurement in Section 19.519.A.3 for the distance from Cannabis Retailers to smoke shops or similar facilities. The text of Section 19.519.A.3 is proposed to be "Cannabis Retailers shall not be located within 500 feet of a smoke shop or similar facility. This distance shall be measured from the nearest point of entry for consumers of the commercial cannabis dispensary to the nearest point of entry for consumers of a smoke shop or similar facility as measured along the shortest pedestrian or vehicular path of travel, whichever is shorter. APN: 463-117-049.

III. MEETING SUMMARY:

The following staff presented the subject proposal: Russell Brady, Principal Planner
Project Planner: Mina Morgan at (951) 955-6035 or email at mimorgan@rivco.org.

Spoke in favor:
David Nola, Applicant's Representative, 949-903-6919

Spoke in opposition:
Mimi Ko, Interested Party, Murrieta, 92563, 617-899-0116

No one spoke in a neutral position.

IV. CONTROVERSIAL ISSUES:

None.

V. PLANNING COMMISSION ACTION:

Public Comments: Closed
Motion by Commissioner Thornhill, 2nd by Commissioner Shaffer
By a vote of 5-0

The Planning Commission Recommends that the Board of Supervisors take the following actions:

FIND the project exempt from the California Environmental Quality Act (CEQA); and,

ADOPT Ordinance No. 348.XXX associated with Change of Zone No. 2100007; and,

TENTATIVELY Change of Zone No. 1900035; and,

TENTATIVELY Approve Development Agreement No. 1900020; and,

APPROVE Conditional Use Permit No. 190032, subject to the conditions of approval as modified as hearing.

CD The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact the TLMA Commission Secretary, Elizabeth Sarabia, at (951) 955-7436 or email at esarabia@rivco.org.

PLANNING COMMISSION HEARING
REPORT OF ACTIONS
MARCH 24, 2021

1.0 CONSENT CALENDAR

1.1 **PLOT PLAN WIRELESS NO. 190006 – RECEIVE and FILE – Exempt from the California Environmental Quality Act (CEQA)**, pursuant to State CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures), Section 15304 (Minor Alterations to Land), and Section 15061(b)(3) (Common Sense Exemption) – Applicant: J5 Infrastructure Partner's, LLC on behalf of AT&T – Engineer/Representative: Casa Industries c/o Luis Cardona – Fourth Supervisorial District – Sky Valley Zoning District – Western Coachella Valley Area Plan: Rural: Rural Residential (RUR-RR) – Location: Northerly of 21st Avenue, southerly of Dillon Road, easterly of Longvue Road, and westerly of Hot Springs Road – 1.25 Acres – Zoning: One Family Dwellings (R-1-1/¼) – **REQUEST:** Receive and File the Planning Director's decision of approval on February 2, 2021 of Plot Plan Wireless No. 190006 to construct a 50-foot mono-palm wireless communication facility with live palm trees, including 12 panel antennas, 36 Remote Radio Units (RRUs), two (2) microwave antennas, six (6) surge protectors, one (1) Global Positioning System (GPS) antenna, utility cabinets, one (1) A/C unit, and one (1) 30kW diesel generator within approximate 1,008 sq. ft. lease area, surrounded by a 6-foot high fence barrier. APN: 647-080-007. Project Planner: Jay Olivas at (760) 863-7050 or email at jolivas@rivco.org.

RECEIVED and FILED.

1.2 **STAY OF TIME for TENTATIVE PARCEL MAP NO. 36564** – Applicant: TSG Cherry Valley, LP/Brian Rupp – Engineer: Albert A Webb Associates/Haley Franco & Nicole Torstvet – Fifth Supervisorial District – Cherry Valley District Zoning Area – The Pass Area Plan – Community Development: Light Industrial (LI) – Open Space: Recreation (OP-R) – Location: Northerly of Cherry Valley Boulevard, easterly of San Bernardino Freeway (Interstate 10), and southerly of Redlands Road – 230 Gross Acres – Zoning: Industrial Park (I-P) – Controlled Development (W-2) – Approved Project Description: The Tentative Parcel Map proposes a Schedule "E" subdivision of 229 acres into four (4) parcels, including two (2) industrial buildings on approximately 140.23 acres and approximately 84.8 acres to remain as natural open space. **REQUEST:** Stay of Time Request for Tentative Parcel Map No. 36564, extending the approval date of the map to July 7, 2020 to reflect the approximately 31 months the project was in litigation pursuant to Cal. Govt. Code Section 66463.5(e) and Section 8.4(F) of Ordinance No. 460. Project Planner: Kathleen Mitchell at (951) 955-6836 or email at kmitchell@rivco.org.

APPROVED the Stay of Time Request for Tentative Parcel Map No. 36564, extending the approval date of the map to July 7, 2020.

2.0 GENERAL PLAN AMENDMENT INITIATION PROCEEDINGS

NONE

3.0 PUBLIC HEARINGS – CONTINUED ITEMS:

NONE

4.0 PUBLIC HEARINGS – NEW ITEMS:

4.1 **CHANGE OF ZONE NO. 1900018 – Exempt from the California Environmental Quality Act (CEQA),** pursuant to State CEQA Guidelines Section 15317 (Open Space Contracts or Easements) and 15061(b)(3) (Common Sense Exemption) – Applicant: WST Group USA, Inc. – First Supervisorial District – Rancho California Zoning Area – Southwest Area Plan – Rural: Rural Mountainous (RM) (10 Acre Minimum) – 19.58 Acres – Location: Northerly of Buena Vista Road, southerly of Carancho Road, easterly of los Gatos Road, and westerly of el Calamar Road – Zoning: Rural Residential (R-R) – **REQUEST:** Change of Zone No. 1900018 proposes to change the

Planning Commission Action:
Public Comments: Closed
By a vote of 5-0

The Planning Commission Recommends that the Board of Supervisors take the following actions:

FIND the project exempt from the California Environmental Quality Act (CEQA); and,

site's zoning classification from Rural Residential (R-R) to Light Agriculture (A-1) for two (2) parcels on 19.58 acres – APN's: 933-120-039 and 933-120-040. Project Planner: Rob Gonzalez at (951) 955-9549 or email at rgonzalez@rivco.org.

TENTATIVELY Approve Change of Zone No. 1900018.

4.2 **CHANGE OF ZONE NO. 1900019 – Exempt from the California Environmental Quality Act (CEQA),** pursuant to State CEQA Guidelines Section 15317 (Open Space Contracts or Easements) and 15061(b)(3) (Common Sense Exemption) – Applicant: The Lin Hu Revocable Living Trust – First Supervisorial District – Rancho California Zoning Area – Southwest Area Plan – Rural: Rural Mountainous (RM) (10 Acre Minimum) – 9.55 Acres – Location: Northerly of Buena Vista Road, southerly of Carancho Road, easterly of los Gatos Road, and westerly of el Calamar Road – Zoning: Light Agriculture (10 Acres Minimum) (A-1-10) – **REQUEST:** Change of Zone No. 1900019 proposes to change the site's zoning classification from Rural Residential (R-R) to Light Agriculture (A-1) for one (1) parcel on 9.55 acres. APN: 937-120-038. Project Planner: Rob Gonzalez at (951) 955-9549 or email at rgonzalez@rivco.org.

Planning Commission Action:
Public Comments: Closed
By a vote of 5-0

The Planning Commission Recommends that the Board of Supervisors take the following actions:

FIND the project exempt from the California Environmental Quality Act (CEQA); and,

TENTATIVELY Approve Change of Zone No. 1900019.

4.3 **CONDITIONAL USE PERMIT NO. 200027 and DEVELOPMENT AGREEMENT NO. 2000012 – Exempt from the California Environmental Quality Act (CEQA)**, pursuant to State CEQA Guidelines Section 15061(b)(3) (Common Sense), Section 15301 (Existing Facilities), and Section 15303 (New Construction or Conversion of Small Structures) – CEQ200063 – Applicant: I. E. Gardens 2, Inc. c/o Nader Awad and Joshua Naggar – Engineer/Representative: Joshua Naggar and Shade Awad – First Supervisorial District – South Elsinore Zoning Area – Elsinore Area Plan – Community Development: Commercial Retail (CD-CR) – Location: Northerly of Grand Avenue, westerly of Corydon Road, southerly of Union Street, and easterly of Gill Lane – 2.97 Acres – Zoning: General Commercial (C-1/C-P) – **REQUEST:** Conditional Use Permit No. 200027 is a proposal for a Cannabis Microbusiness Facility with Indoor Cultivation, Distribution, and storefront Retail Sales within an existing shopping center. The Cannabis Microbusiness would reside within Units B and G, totaling 9,875 sq. ft., within the existing 24,213 sq. ft. commercial building for the shopping center. Unit B would consist of 2,325 sq. ft. for the cannabis retailer with a reception area, security room, offices, vaults, storage, a breakroom, and restrooms. Unit G would consist of the indoor cultivation at 7,300 sq. ft. with flower rooms, a hanging room, and a veg room and the distribution area at 250 sq. ft. for packaging and deliveries; all totaling 7,550 sq. ft. The existing shopping center provides adequate parking spaces for the proposed facility and the remaining commercial units that are not a part of this project. The facility requires 14 of the existing 180 parking spaces. The project includes improvement to the site's landscaping, parking surface, signage, entrance monument, and exterior building paint. The associated Development Agreement No. 2000012 (DA2000012), has a term of 10 years. It will grant the applicant vesting rights to develop the project in accordance with the terms of DA2000012 and CUP200027 and will provide community benefits to the Elsinore Area. APN: 370-310-007. Project Planner: Tim Wheeler at (951) 955-6060 or email at twheeler@rivco.org.

Planning Commission Action:
Public Comments: Closed
By a vote of 5-0

The Planning Commission Recommends that the Board of Supervisors take the following actions:

FIND the project exempt from the California Environmental Quality Act (CEQA); and,

TENTATIVELY Approve Development Agreement No. 200012; and,

APPROVE Conditional Use Permit No. 200027, subject to the conditions of approval as modified at hearing.

4.4 **GENERAL PLAN AMENDMENT NO. 200001 and CHANGE OF ZONE NO. 1900051 – Exempt from the California Environmental Quality Act (CEQA)**, pursuant to State CEQA Guidelines Section 15061(b)(3) (Common Sense) and Section 15303 (New Construction

Planning Commission Action:
Public Comments: Closed
By a vote of 4-0

or Conversion of Small Structures) – Applicant: Wah Taking – Engineer/Representative: Massoud Ghiam – First Supervisorial District – Lakeland Village Zoning District – Elsinore Area Plan – Community Development: Commercial Retail (CD-CR) – 0.13 Acres – Location: Southeasterly of Evergreen Street and southwesterly of Grand Avenue – Zoning: General Commercial (C-1/C-P) – **REQUEST:** The General Plan Amendment is a proposal to change the Land Use designation from Community Development: Commercial Retail (CD-CR) to Community Development: Medium Density Residential (CD-MDR) on the 0.13 acre parcel. The Change of Zone is a proposal to change the existing zoning classification from General Commercial (C-1/C-P) to One-Family Dwellings (R-1) on the 0.13-acre parcel. The purpose behind the General Plan Amendment and Change of Zone is to be able to construct a one family dwelling on the property. A one family dwelling is not permitted by the current zoning on the property. APN: 381-273-004. Project Planner: Russell Brady at (951) 955-3025 or email at rbrady@rivco.org.

The Planning Commission Recommends that the Board of Supervisors take the following actions:

FIND the project exempt from the California Environmental Quality Act (CEQA); and,

TENTATIVELY Approve General Plan Amendment No. 200001; and,

TENTATIVELY Approve Change of Zone No. 1900051.

4.5 **CONDITIONAL USE PERMIT NO. 190031 and DEVELOPMENT AGREEMENT NO. 1900019 – Exempt from the California Environmental Quality Act (CEQA),** pursuant to State CEQA Guidelines Section 15301 (Existing Facilities) and Section 15061(b)(3) (Common Sense Exemption) – Applicant: F2-Palm Desert, LLC – Fourth Supervisorial District – Bermuda Dunes Zoning District – Western Coachella Valley Area Plan: Community Development: Commercial Retail (CD-CR) (0.20 – 0.35 FAR) – Location: Northerly of Varner Road, easterly of Berkey Drive, southerly of Wildcat Drive, and westerly of Washington Street – 0.5 Acres – Zoning: General Commercial (C-1/C-P) – **REQUEST:** Conditional Use Permit No. 190031 proposes to use an existing building as a storefront for a retail cannabis business and office space related to cannabis business. Development Agreement No. 1900019 would impose a lifespan on the proposed cannabis project and provide community benefit to the Bermuda Dunes Area. APN: 748-370-011. Project Planner: Gabriel Villalobos at (951) 955-6184 or email at gvillalo@rivco.org.

Planning Commission Action:
Public Comments: Closed
By a vote of 5-0

The Planning Commission Recommends that the Board of Supervisors take the following actions:

FIND the project exempt from the California Environmental Quality Act (CEQA); and,

TENTATIVELY Approve Development Agreement No. 1900019; and,

APPROVE Conditional Use Permit No. 1900031, subject to the conditions of approval.

4.6 **CONDITIONAL USE PERMIT NO. 190034 and DEVELOPMENT AGREEMENT NO. 1900022 – Exempt from the California Environmental Quality Act (CEQA),** pursuant to State CEQA Guidelines Section 15301 (Existing Facilities) and Section 15061(b)(3) (Common Sense Exemption) – Applicant: EEL – Riverside County, LLC – Fourth Supervisorial District – Thousand Palms Zoning District – Western Coachella Valley Area Plan: Community Development: Light Industrial (CD-LI) (0.25 – 0.60 FAR) – Location: Northerly of Adelaid Street, easterly of Front Street, and southerly of Northshore Street – 0.64 Acres – Zoning: Industrial Park (I-P) – **REQUEST:** Development Agreement No. 1900022 would impose a lifespan on the proposed cannabis project and provide community benefit to the Thousand Palms District. Conditional Use Permit No. 190034 proposes to use an existing 7,734 sq. ft. building as a storefront for a retail cannabis business with office space related to cannabis business and shall only occupy 1,792 sq. ft. of the entire building. APN: 650-360-021. Project Planner: Gabriel Villalobos at (951) 955-6184 or email at gvillalo@rivco.org.

Planning Commission Action:
Public Comments: Closed
By a vote of 5-0

CONTINUED to April 21, 2021.

4.7 **DEVELOPMENT AGREEMENT NO. 1900020, CONDITIONAL USE PERMIT NO. 190032, CHANGE OF ZONE NO. 190035 and CHANGE OF ZONE NO. 2100007 – Exempt from the California Environmental Quality Act (CEQA),** pursuant to State CEQA

Planning Commission Action:
Public Comments: Closed
By a vote of 5-0

Guidelines Section 15061(b)(3) (Common Sense), Section 15301 (Existing Facilities), and Section 15303 (New Construction or Conversion of Small Structures) – CEQ190114 – Applicant: CPR Winchester, LLC – Third Supervisorial District – Winchester Area – Harvest Valley/Winchester Area Plan: Commercial Retail: (CR) (0.20 – 0.35 FAR) – Location: Northerly of Taylor Street, easterly of Winchester Road, southerly of Wesley Street, and westerly of Whittier Avenue – 0.31 Acres – Zoning: Manufacturing – Service Commercial (M-SC) – **REQUEST:** Development Agreement No 1900020 is a proposal whereby the applicant enters into a development agreement with the County of Riverside, consistent with the County's Cannabis Ordinance, and it includeds terms for providing a community benefit to the Winchester Area. Conditional Use Permit No. 190032 is a proposal to utilize an existing building to establish and operate a 900 sq. ft. cannabis retail facility with delivery on a 0.31-acre lot with parking and landscaping. Change of Zone No. 1900035 proposes a change of zone from Manufacturing – Service Commercial (M-SC) to Scenic Highway Commercial (C-P-S). Change of Zone No. 2100007 is a text amendment to Ordinance No. 348 to clarify the distance measurement in Section 19.519.A.3 for the distance from Cannabis Retailers to smoke shops or similar facilities. The text of Section 19.519.A.3 is proposed to be "Cannabis Retailers shall not be located within 500 feet of a smoke shop or similar facility. This distance shall be measured from the nearest point of entry for consumers of the commercial cannabis dispensary to the nearest point of entry for consumers of a smoke shop or similar facility as measured along the shortest pedestrian or vehicular path of travel, whichever is shorter. APN: 463-117-049. Project Planner: Mina Morgan at (951) 955-6035 or email at mimorgan@rivco.org.

The Planning Commission Recommends that the Board of Supervisors take the following actions:

FIND the project exempt from the California Environmental Quality Act (CEQA); and,

ADOPT Ordinance No. 348.XXX associated with Change of Zone No. 2100007; and,

TENTATIVELY Change of Zone No. 1900035; and,

TENTATIVELY Approve Development Agreement No. 1900020; and,

APPROVE Conditional Use Permit No. 190032, subject to the conditions of approval as modified as hearing.

5.0 WORKSHOP:

NONE

6.0 ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA

7.0 DIRECTOR'S REPORT

8.0 COMMISSIONER'S COMMENTS

COUNTY OF RIVERSIDE
PLANNING DEPARTMENT
STAFF REPORT

Agenda Item No.

4.2

Planning Commission Hearing: March 24, 2021

PROPOSED PROJECT

Case Number(s):	CZ1900019
CEQA Exempt	15061(b) (3) and 15317
Area Plan:	Southwest
Zoning Area/District:	Rancho California Area
Supervisorial District:	First District
Project Planner:	Rob Gonzalez
Project APN(s):	933-120-038

Applicant(s):
The Lin Hu Revocable Living Trust

Representative(s):

The Lin Hu Revocable Living Trust

John Hildebrand
Interim Planning Director

PROJECT DESCRIPTION AND LOCATION

Change of Zone No. 1900019 (CZ1900019) proposes to change the site's zoning classification from Rural Residential (R-R) to Light Agriculture (A-1), which would allow the site to be included in the Rancho California Agricultural Preserve No. 19 and establish a Land Conservation Contract. The Project site is approximately 9.55 acres.

The application for this site to be entered into an Agricultural Preserve (APE180007) has been submitted and will be considered by the Boards of Supervisors at a future hearing date. APE180007 would be joined with CZ1900019 application at a future Board of Supervisors meeting.

The above shall herein after be referred to as "the Project."

The site is located north of Buena Vista Road, south of Carancho Road, east of Los Gatos Road and west of El Calamar Road. The Project is within the Southwest Area Plan.

PROJECT RECOMMENDATION

STAFF RECOMMENDATIONS:

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

FIND that the project is **EXEMPT** from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15317 (Open Space Contracts or Easements) and 15061(b) (3) (Common Sense Exemption), based on the findings and conclusions in the staff report; and,

TENTATIVELY APPROVE CHANGE OF ZONE NO. 1900019, to amend the zoning classification for the subject property from Rural Residential (R-R) to Light Agriculture (A-1), in accordance with Exhibit 3, based upon the findings and conclusions incorporated in this staff report, and pending final adoption of the zoning ordinance by the Board of Supervisors.

PROJECT DATA

Land Use and Zoning:

Specific Plan:	N/A
Specific Plan Land Use:	N/A
Existing General Plan Foundation Component:	Rural
Proposed General Plan Foundation Component:	N/A
Existing General Plan Land Use Designation:	Rural Mountainous (RM) (10 Acre Minimum)
Proposed General Plan Land Use Designation:	N/A
Policy / Overlay Area:	Santa Rosa Plateau Policy Area
Surrounding General Plan Land Uses	
North:	Rural Mountainous (RM) (10 Acre Minimum)
East:	Rural Mountainous (RM) (10 Acre Minimum)
South:	Rural Mountainous (RM) (10 Acre Minimum)
West:	Rural Mountainous (RM) (10 Acre Minimum)
Existing Zoning Classification:	Rural Residential (R-R)
Proposed Zoning Classification:	Light Agriculture (A-1)
Surrounding Zoning Classifications	
North:	Light Agriculture, 10 Acres Minimum (A-1-10)
East:	Rural Residential (R-R)
South:	Rural Residential (R-R)
West:	Rural Residential (R-R)
Existing Use:	Farmland
Surrounding Uses	
North:	Farmland
South:	Vacant Land
East:	Vacant Land
West:	Vacant Land

Located Within:

City's Sphere of Influence:	No
Community Service Area ("CSA"):	Yes – 152
Special Flood Hazard Zone:	No
Agricultural Preserve:	No
Liquefaction Area:	Yes – Low Potential
Subsidence Area:	No

Fault Zone:	No
Fire Zone:	Yes – Moderate and Very High
Mount Palomar Observatory Lighting Zone:	Yes – Zone B
WRCMSHCP Criteria Cell:	Yes - Cell Number 7228
CVMSHCP Conservation Boundary:	No
Stephens Kangaroo Rat ("SKR") Fee Area:	No
Airport Influence Area ("AIA"):	No

PROJECT LOCATION MAP

Figure 1: Project Location Map
Project site outlined in red.

PROJECT BACKGROUND AND ANALYSIS

Background:

The Project, Change of Zone No. 1900019, is a request to change the zoning classification of the Project site from Rural Residential (R-R) to Light Agriculture (A-1). Pursuant to Board of Supervisors Resolution No. 84-526, Section 204, which outlines the rules and regulations governing agricultural preserves in Riverside County, only land that currently has agricultural zoning as defined in Ordinance No. 348, Section 21.3, or for which the applicant has filed a request for a change of zone to such zoning, shall be included

within the agricultural preserve. The Project site's existing zoning classification of Rural Residential (R-R) zone is not considered an agricultural zone pursuant to Ordinance No. 348, Section 21.3b; therefore, a change of zone application is being processed with the Agricultural Preserve Case. The proposed A-1 zone is an agricultural zone pursuant to Section 21.3b of Ordinance No. 348 and is consistent with the site's General Plan Foundation Component and land use designation of Rural Mountainous (RM).

"Agricultural preserve" or "preserve" means an area devoted to those agricultural or other uses allowed under the provisions of the Land Conservation Act of 1965, also known as the Williamson Act, and those compatible uses as designated and established by the Board after notice and hearing. The Williamson Act allows the County of Riverside to designate agricultural preserves wherein agricultural properties will be assessed on the basis of agricultural production rather than the current market value.

The proposed zone change will allow an existing agricultural preserve to include the Project site and establish the associated Land Conservation Contract. The property includes Prime and Unique Farmlands and is currently used to farm citrus fruit. The General Plan Rural (R) Foundation Component and land use designation provide policies to ensure that agricultural lands remain economically viable and that conflicts between agricultural and urban/suburban uses are minimized. The expansion of the preserve and the establishment of the Land Conservation Contract meets the intent of the Rural Mountainous (RM) land use designation. The A-1 zoning classification permits uses that are consistent with the RM land use designation. The expansion of the preserve will further conserve productive agricultural lands within the Southwest Area Plan.

Rancho California Agricultural Preserve No. 19
The Rancho California Agricultural Preserve No. 19, Map No. 355 was established and adopted on February 3, 1976 by the Board of Supervisors, consisting of 319.22 acres. The preserve has been amended since then and is currently approximately 379.95 acres. Approval of CZ1900019 and APE180007 will expand the Rancho California Agricultural Preserve No. 19 to an estimated 389.5 acres.

On September 11, 2019, APE180007 was presented to and was recommended for approval by the Comprehensive Agricultural Preserve Technical Advisory Committee (CAPTAC). The entire Project's site is currently utilized for commercial crops harvesting of citrus fruit. CAPTAC has determined that irrigation water is available, and the site is suitable for commercial agricultural uses.

APE180007 will be considered solely by the Board of Supervisors. APE180007 is not under the review of the Planning Commission. Planning Commission's recommendation regarding CZ1900019 will be connected with APE180007 at a future Board of Supervisor's Public Hearing. Further technical findings of the Agricultural Preserve Enlargement will be documented within the Form 11 for the Board of Supervisors Hearing.

Change of Zone No. 1900019 was submitted to the County on May 9, 2019. Agricultural Preserve Case No. 180007 was submitted to the County on November 28, 2018.

ENVIRONMENTAL REVIEW AND ENVIRONMENTAL FINDINGS

The Project was reviewed to determine if the proposed activity is subject to the California Environmental Quality Act and it was determined to be exempt pursuant to Article 5, Section 15061(b)(3), Common Sense Exemption, since it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The Project meets this exemption because the entire Project site is farmed with citrus fruit and there are no plans to modify the existing site. The

Project does not propose any new development on the site, nor does it disturb the existing physical environment. The proposed zone of A-1 (Light Agriculture) is consistent with the Project site's existing Rural Mountainous land use designation and is required for the expansion of the Agricultural Preserve and Land Conservation Contract that is proposed by APE180007. There are several commercial uses that are permitted and conditionally permitted in the R-R zone that are not compatible with the agricultural preserve. The change of zone to A-1 zone would reduce the types of uses and intensity of projects that the property may be used for in the future; this would essentially downzone the property in terms. Additionally, inclusion in an Agricultural Preserve and Land Conservation Contract will further restrict development to uses that are suitable for the preserve pursuant to Ordinance No. 509. Commercial uses, such as golf courses and country clubs that are allowed in the A-1 zone will not be permitted and the site will remain used for agricultural purposes pursuant to the Williamson Act; thus, there is no possibility that the activity in question may have a significant effect on the environment. Regarding Resolution No. 84-526 Section 204's reference to the preparation of an environmental assessment for a change of zone request, it was determined that, in this case, an assessment would not be needed because the Project does not propose any changes to the existing environment, the use of the Project site will remain farmed with citrus trees, and the change of zone would allow the Project site to be included in an Agricultural Preserve which further limits the uses on this site. Any future development requiring a discretionary review will be subject to further CEQA review. Therefore, no further environmental review is required at this time.

The Project will be considered, along with APE180007 by the Board of Supervisors. California Environmental Quality Act (CEQA) Article 19 Categorical Exemption, Section 15317 provides an exemption from the CEQA process for "the establishment of agricultural preserves, the making and renewing of open space contracts under the Williamson Act, or the acceptance of easements or fee interests in order to maintain the open space character of the area." The change of zone will allow the existing farmland to be included in the Rancho California Agricultural Preserve No. 19 and establish an associated Land Conservation Contract, and the change of zone merely facilitates the expansion of the agricultural preserve. None of the exceptions pursuant to CEQA Section 15300.2 applies to the APE180007. The existing use on the Project site does not change with the enlargement of the Agricultural Preserve and establishment of the land conservation contract. APE180007 would not result in a cumulative impact that overtime is significant, as the Project will ensure that the property will remain used for agricultural purposes in compliance with the Williamson Act; the Project does not have a significant effect on the environment due to unusual circumstances as there are no unusual circumstances with the agricultural preserve enlargement or land conservation contract; the Project is will not damage scenic resources as the citrus groves will remain an integral part of the agricultural landscape found in this region; the Project site does not include any hazardous waste sites that is included on any list compiled pursuant to Section 65962.5 of the Government Code; and the Project site does not have any historic resources. Therefore, in accordance to Section 15317, APE180007 is exempt from the CEQA process and no exceptions apply.

FINDINGS AND CONCLUSIONS

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

Land Use Findings:

1. The project site has a General Plan Land Use Designation of Rural Mountainous (RM). Single-family residential uses with a minimum lot size of 10 acres. Areas of at least 10 acres where a

minimum of 70% of the area has slopes of 25% or greater. Allows limited animal keeping, agriculture, recreational uses, compatible resource development and associated uses and governmental uses. The Rural Mountainous (RM) Land Use Designation allows one single-family residence is per every 10 acres.

2. The project site has a Zoning Classification of Rural Residential (R-R) with a Change of Zone request to change the zoning classification to Light Agriculture (A-1) on APN:933-120-038, which is consistent with the General Plan Land Use Designation of Rural: Rural Mountainous (RM). The project will amend the site's existing zoning from Rural Residential (R-R) to Light Agriculture (A-1). The proposed project would continue the existing use of agriculture of lemon trees, which is allowed in the Light Agriculture Zoning Classification. The Change of Zone from (R-R) to (A-1) is consistent with the current and intended use of agriculture.

3. The project site is comprised of farmland. The part of the project site is located within the Santa Rosa Plateau Policy Area within the Southwest Area Plan (SWAP). The intent of the policy area is to maintain the rural and natural character of the area and to address the long-term stability of the Santa Rosa Plateau Ecological Reserve. Policy SWAP 5.1 allows properties to subdivide into five acre lots under specific criteria and policy SWAP 5.2 address lands within the reserve. The proposed project does not propose a subdivision nor is the project site within the reserve; therefore, the project does not conflict with these policies. The SWAP includes local land use policy SWAP 15.1 for Agricultural Preservation because agriculture continues to be an important component for many communities within this area plan. The citrus and avocado grove are viable agricultural products within SWAP. The project is consistent with SWAP 15.1, states, "Protect farmland and agricultural resources in the Southwest planning area through adherence to the Agricultural Resources section of the General Plan Multipurpose Open Space Element and the Agriculture section of the General Plan Land Use Element, as well as the provisions of the Citrus/Vineyard Policy Area." The proposed project will allow the existing agricultural land to be included in an Agricultural Preserve and establish the associated Land Conservation Contract, this is consistent with land use development pattern in the Santa Rosa Plateau Area within the Southwest Area Plan; the project also adheres to the Agriculture sections of the General Plan Multipurpose Open Space and Land Use Elements, and a Land Conservation Contract.

4. The project site has a Zoning Classification of Rural Residential (R-R). The Rural Residential (R-R) zoning generally permits single family dwellings, farming operations, limited grazing and raising livestock keeping uses, and allows a range of other uses with the approval of a land use permit. The proposed zoning classification is Light Agriculture (A-1), which is consistent with the General Plan Land Use Designation of Rural: Rural Mountainous (RM) and, is an agricultural zone pursuant to the Ordinance No. 348, Section 21.3b., Zones A-1, A-P, A-2, A-D, C/V, WC-W, WC-WE, WC-E. The Light Agriculture (A-1) Zoning Classification generally permits one-family dwellings, light agriculture, animal husbandry, farm animals, and allows a range of other uses with the approval of a land use permit. The proposed project is to plant citrus trees throughout the site, which is a permitted use within the Light Agriculture zone.

Entitlement Findings:

The proposed change of zone will be fully consistent with the General Plan. As detailed above in the Land Use Findings, the CZ1900019 is a proposal to change the subject property Zoning Classification of Rural Residential (R-R) to Light Agricultural (A-1) in order to include the Project site into the Agricultural Preserve. The approval of CZ1900019 (and, ultimately, APE180007) will facilitate the enlargement and

expansion of Rancho California Agricultural Preserve No. 19. The Foundation Component and land use designations have been established to help conserve productive agricultural lands within the County of Riverside. The Rural Mountainous (RM) land use designation include a range of intended uses including agricultural uses. Therefore, the proposed A-1 zoning classification is consistent with the General Plan, including the RM Land Use Designation to allow agricultural uses. The Project site totals 9.55 acres and exceeds the minimum lot size of the A-1 Zone requirement of 20,000 square feet. The Project site also exceeds the A-1 Zone minimum average lot width of 100 feet and a minimum average lot depth of 150 feet. For APN 933-120-038, the lot has an average depth of 702.1 feet, and an average width of 583.97 feet.

Other Findings:

1. This Project is not within a City Sphere of Influence.

2. Since the Project is categorically exempt from CEQA, AB 52 notification is not required.

3. The Project site is not located within an Airport Influence Area ("AIA") boundary and is therefore not subject to the Airport Land Use Commission ("ALUC") review.

4. The project site is not located within the Fee Assessment Area of the Stephen's Kangaroo Rat Habitat Conservation Plan ("SKRHCP").

5. The Project site is located within Zone B of the Mount Palomar Observatory Lighting Zone boundary, as identified by Ordinance No. 655 (Mt. Palomar). There are no buildings or light features on this site. All future development pursuant to the A-1 zone and compatible with the Agricultural Preserve would be conditioned to comply with all lighting standards specified within Ordinance No. 655, pursuant to Zone B.

6. The Project site is located in cell number 7228 of the Western Riverside County Multiple Species Habitat Conservation Plan (WRMSHCP). Since, the Project is for a change of zone and is not a part of a development plan, the applicant was allowed to go through a Habitat Acquisition and Negotiation Strategy (HANS) Lite Process. The HANS Lite process still includes a review by the Regional Conservation Authority (RCA) and goes through the Joint Project Review. However, once an implementing development project is submitted for review the habitat assessments and focused survey, along with a MSHCP Consistently Analysis would be required for review and approval by the EPD staff, before transmitting to the RCA for Joint Project Review (JPR) follow-up.

   On January 3, 2020, the County provided a letter to the applicant stating that through the review of the HANS Lite application EPD staff determined that the MSHCP criteria does not describe conservation for this property. On April 21, 2020, the County provided a follow-up letter to the applicant stating that the HANS Lite application and the County's determination was sent to RCA and they concurred with the County that no conservation is described for this property. In addition, the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife have reviewed the case and found it to be consistent with the MSHCP. It was noted in the letter that the applicant can proceed with their Change of Zone; however, a Full HANS would be required once an implementing project is proposed. (HAN190012)

Conclusion:

1. For the reasons discussed above, the proposed project conforms to all the requirements of the General Plan and with all applicable requirements of State law and the ordinances of Riverside County. Moreover, the proposed project would not be detrimental to the health, safety or general welfare of the community.

PUBLIC HEARING NOTIFICATION AND COMMUNITY OUTREACH

This project was advertised in the Press Enterprise Newspaper. Additionally, public hearing notices were mailed to property owners within 1,200 feet of the project site. As of the writing of this report, Planning Staff has not received written communication/phone calls from citizens who indicated support or opposition to the proposed project.

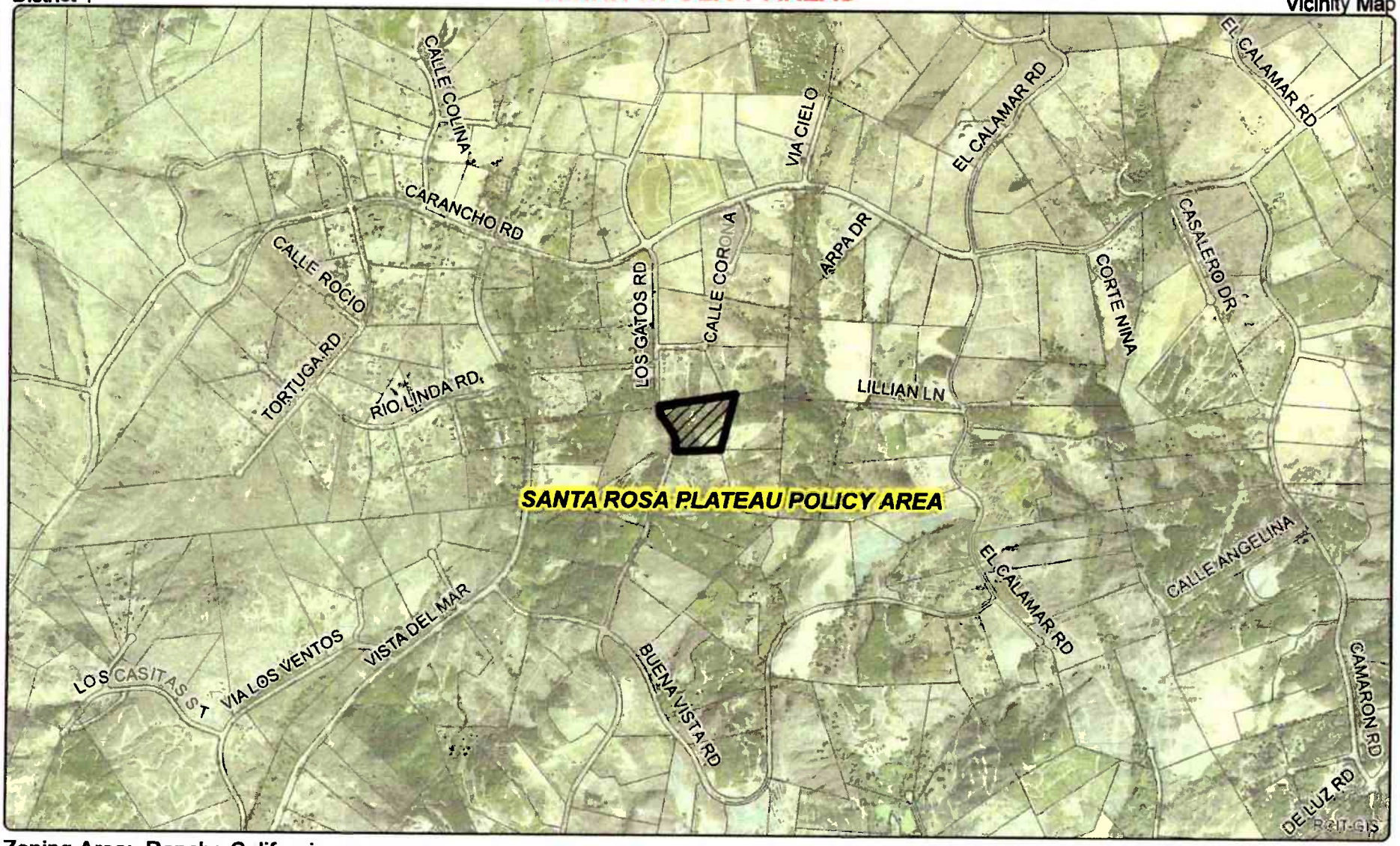
RIVERSIDE COUNTY PLANNING DEPARTMENT

CZ1900019 APE180007

VICINITY/POLICY AREAS

Supervisor: Jeffries
District 1

Date Drawn: 09/09/2019
Vicinity Map



Zoning Area: Rancho California

Author: Vinnie Nguyen

N

0 800 1,600 3,200
Feet

DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)955-3200 (Western County) or in Palm Desert at (760)863-8277 (Eastern County) or Website http://rivlandinfo.rivcoeda.org

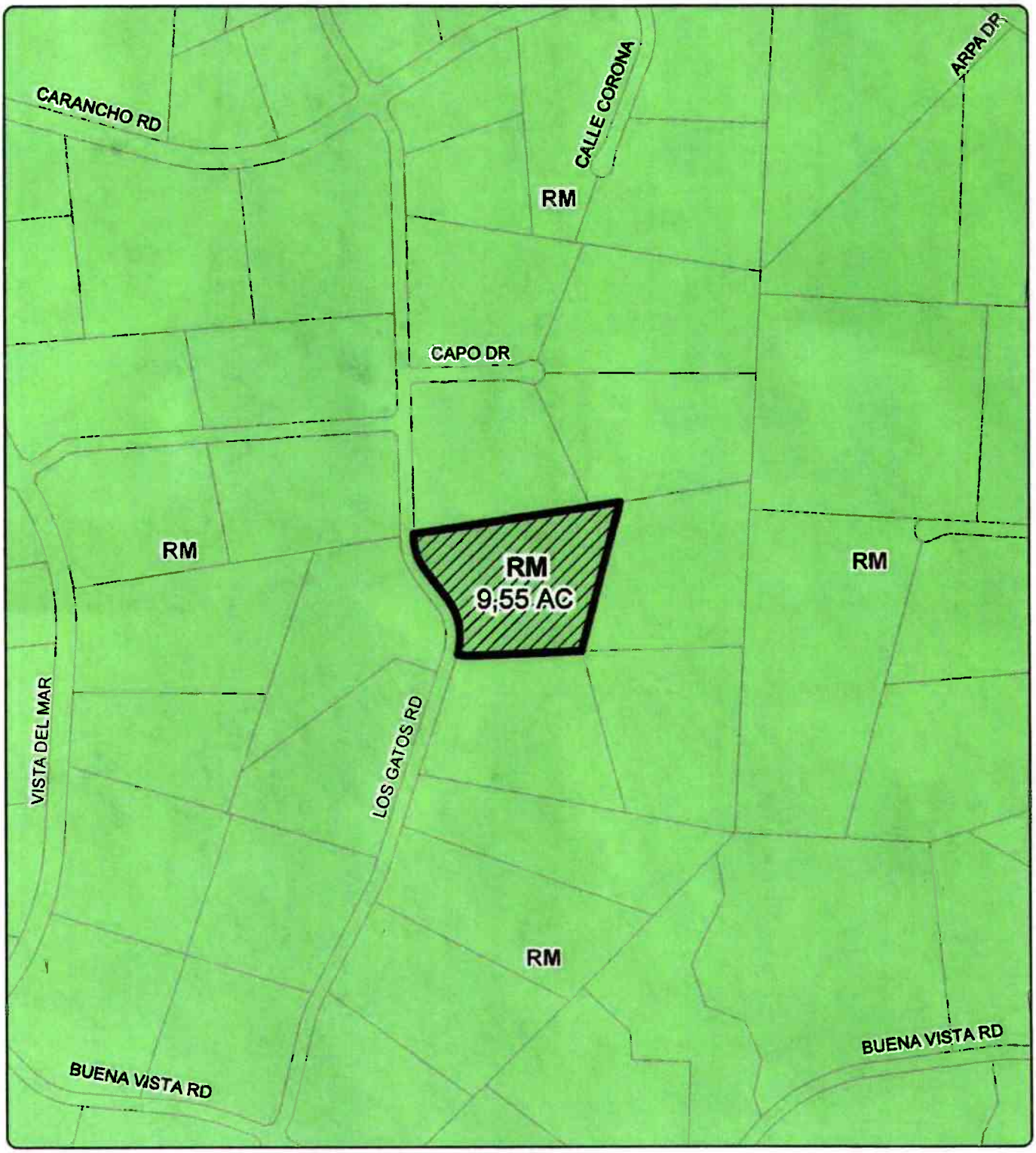
RIVERSIDE COUNTY PLANNING DEPARTMENT

CZ1900019 APE180007

EXISTING GENERAL PLAN

Supervisor: Jeffries
District 1

Date Drawn: 09/09/2019
Exhibit 3



Zoning Area: Rancho California

Author: Vinnie Nguyen

N

0 300 600 1,200
Feet

DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)955-3200 (Western County) or in Palm Desert at (760)863-8277 (Eastern County) or Website

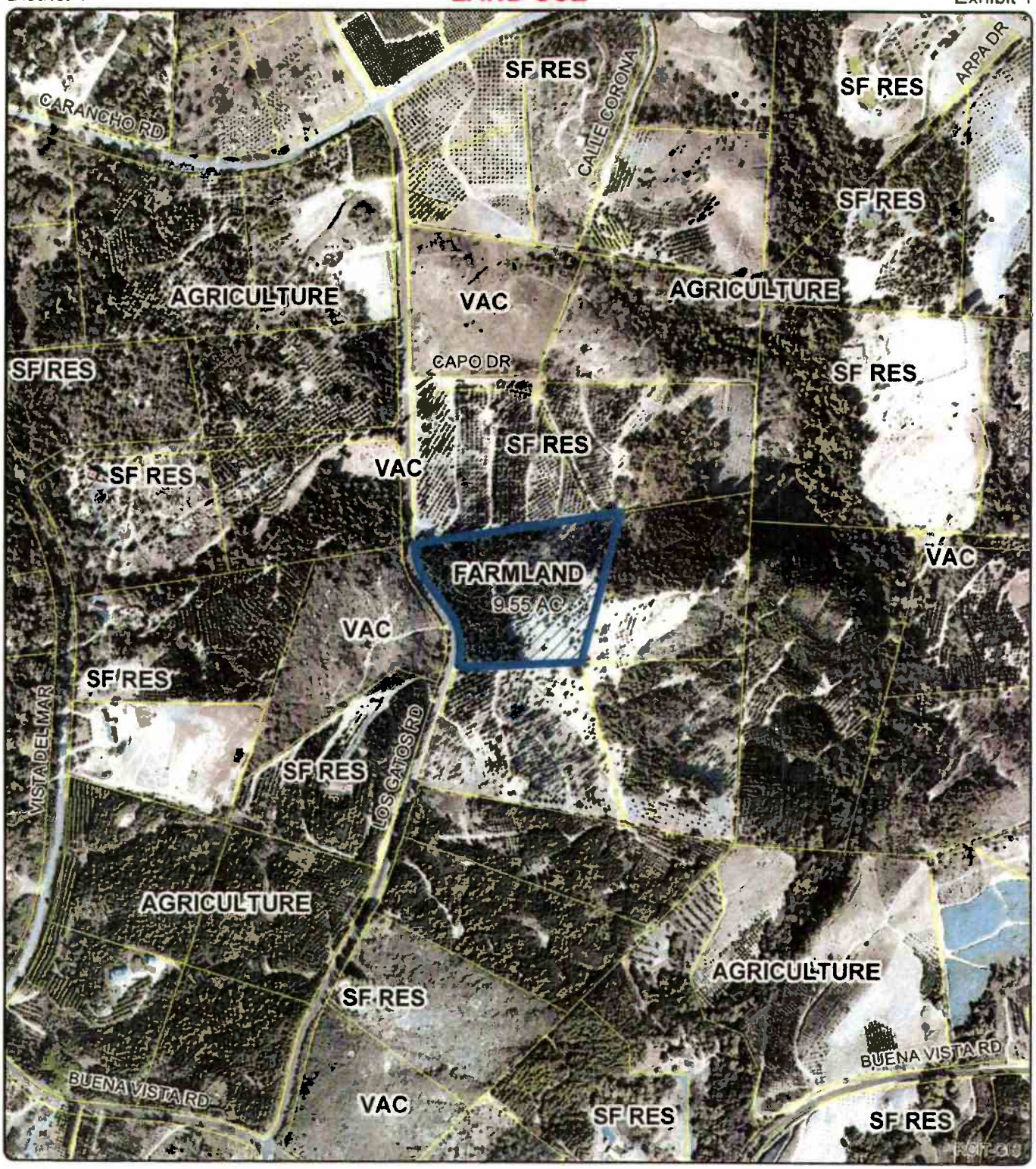
RIVERSIDE COUNTY PLANNING DEPARTMENT

CZ1900019 APE180007

Supervisor: Jeffries
District 1

LAND USE

Date Drawn: 09/09/2019
Exhibit 1



Zoning Area: Rancho California

Author: Vinnie Nguyen

N

0 300 600 1,200
Feet

DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)955-3200 (Western County) or in Palm Desert at (760)863-8277 (Eastern County) or Website http://rivcoplanning.org

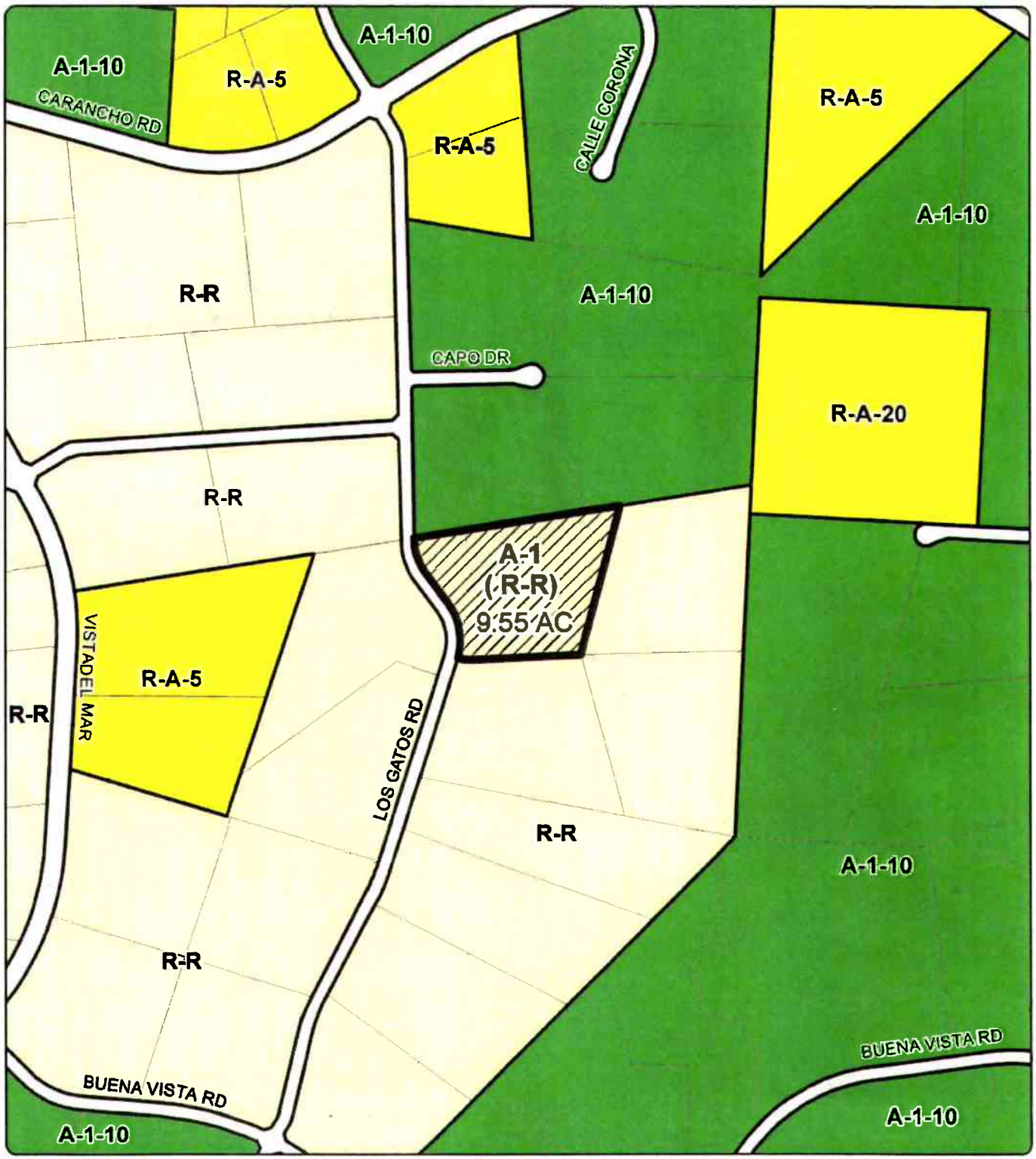
RIVERSIDE COUNTY PLANNING DEPARTMENT

CZ1900019 APE180007

Supervisor: Jeffries
District 1

PROPOSED ZONING

Date Drawn: 09/09/2019
Exhibit 3



Zoning Area: Rancho California

Author: Vinnie Nguyen

N

0 300 600 1,200
Feet

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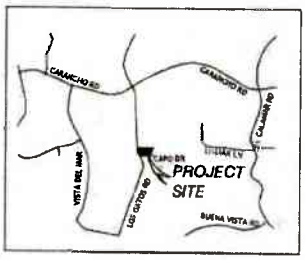
SEC. 15 T.8S. R. 4W. S.B.B. & M.

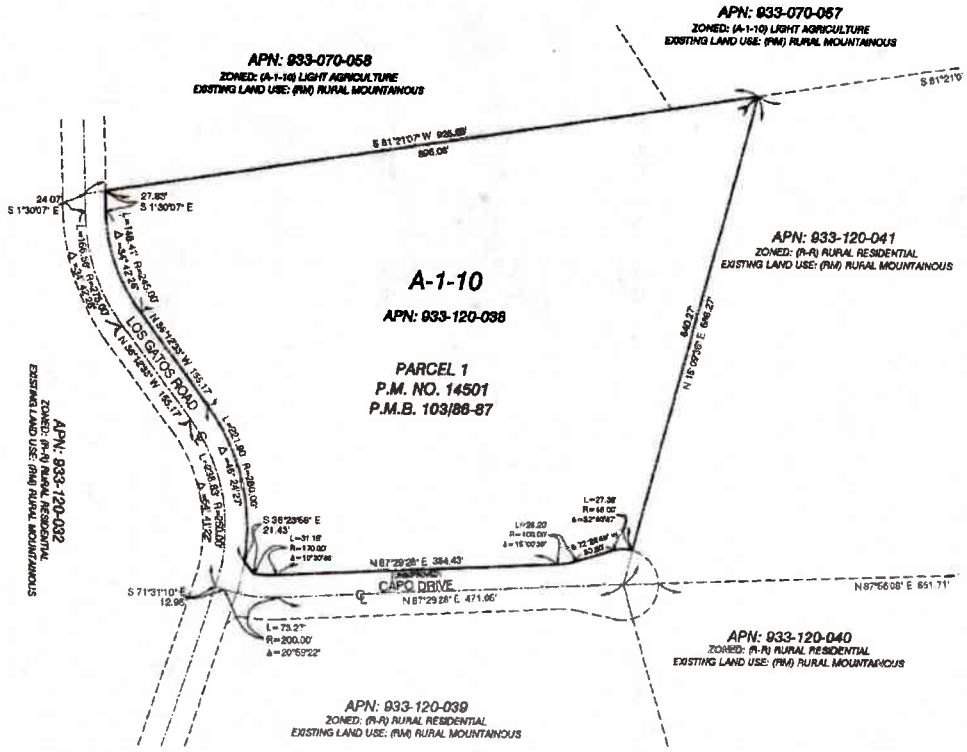


VICINITY MAP
N.T.S.

OWNER/APPLICANT

PREPARED BY:
DELTA SURVEYING & MAPPING
39305 SALINAS DR MURRIETA CA 92563
PHONE: 951-761-0158
EMAIL: DSMSURVEYOR@VERIZON.NET
PROJECT NO. 19085-1

LEGAL DESCRIPTION:
PARCEL 1 OF PARCEL MAP NO. 14501, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 103 OF PARCEL MAPS, PAGES 86 AND 87, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.



PROJECT NOTES:

1. TOTAL GROSS: 10.00 ACRES
2. THOMAS BROS. MAPS PAGE 977 GRID: B2 PAGE/GRID
3. FEMA 100 YEAR FLOOD ZONE: X
4. THIS AREA IS WITHIN MURRIETA VALLEY UNIFIED SCHOOL DISTRICT

UTILITY PURVEYORS:

ELECTRIC:
SOUTHERN CALIFORNIA EDISON
24487 PRIELIPP RD WILDOMAR CA 92595

GAS:
SOUTHERN CALIFORNIA GAS COMPANY
527 N. SAN JACINTO ST HEMET CA 92543

WATER:
WESTERN MUNICIPAL WATER DISTRICT
14205 MERIDIAN PARKWAY RIVERSIDE CA 92518

LEGEND:
EXISTING ZONING: RURAL RESIDENTIAL
A-1-10 LIGHT AGRICULTURE

MAP NO. _____

CHANGE OF OFFICIAL ZONING PLAN _____

CHANGE OF ZONE CASE NO._____
AMENDING ORDINANCE NO. 348
ADOPTED BY ORDINANCE 348
SEPTEMBER 8, 2014
RIVERSIDE COUNTY BOARD OF SUPERVISORS
ASSESSOR'S PARCEL NO. 933-120-038

1 inch = 100 ft.
GRAPHIC SCALE
100 0 50 100
(IN FEET)

AGRICULTURAL PRESERVE ESTABLISHMENT/ENLARGEMENT
TECHNICAL ADVISORY COMMITTEE REPORT

Applicant's Name: The Lin Hu Revocable Living Trust Supv. Dist.: 1

Applicant's Address: 2908 La Mesa Dr. Henderson NV, 89014 CAPTAC Date: 5.8.19

1. **Planning Department**

   A. Type of Application: _____ Establish ___x___ Enlarge (APE No. 180007)

   B. Acreage: 9.55 acres

   C. Cities within 1 mile: Not within 1 mile of a city

   D. Existing Zoning: Rural Residential (R-R)

   E. Existing Land Use: Agriculture: Lemon Trees (9.55 ac)

   F. General Plan Land Use: Rural: Rural Mountainous (RM)

   G. General Location: North of Buena Vista Road, South of Carancho Road, East of Los Gatos Road, and West of El Calamar Road.

   H. Site APN or Leg. Desc. APNs: 933-120-038 (''Subject Site'')

2. **Agricultural Commissioner**

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

   B. Number and type of livestock: 0

3. **Cooperative Extension**

   A. Suitable commercial agricultural uses: Yes

   B. Availability of irrigation water: Yes

   C. Nuisance effects: None

4. **Natural Resource Conservation Service**

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

B. Comparison of soil acreage (estimated):

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

D. Soils problems:

5. **Assessor**

A. Last annual assessed valuation:

B. Estimated annual assessed valuation:

C. Estimated differential:

D. Penalty fee (if applicable):

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

6. **County Counsel**

7. **Committee recommendation on application**: ___ Approval ___ Denial

Summary and Conclusions:

The Comprehensive Agricultural Preserve Technical Advisory Committee (''CAPTAC'') evaluated the proposed enlargement of an agricultural preserve and request to enter into a land conservation contract (''Request'') for the Subject Site. The purpose of this evaluation is to determine if the proposed Request is consistent with the **Land Conservation Act of 1965** (''Williamson Act'') and **Riverside County Resolution No. 84-526**, ''The Rules and Regulations Governing Agricultural Preserves in Riverside County'' as amended (''Riverside County AG Preserve Rules and Regs'').

Based on a complete evaluation of the Request, CAPTAC was able make the nine necessary findings to conclude that the proposed Request is consistent and recommends that the Riverside County Board of Supervisors **approve** the Request under Agricultural Preserve No. **1063**. CAPTAC affirmed this determination with a **{vote}** to five vote, based on the following findings, pursuant to Section 605(3) of Riverside County AG Preserve Rules and Regs:

I. **Present Zoning of lands proposed to be included in the preserve and surrounding land**.
The Subject Site is zoned R-R. The property to the north is farmland, east, and west and south is vacant land. An application (CZ No. 1900019) has been filed requesting a change of zone for the Subject site to change the zoning classification from Rural Residential (R-R) to Light Agriculture (A-1)10 Acre Minimum, which is considered an ''Agricultural Zone'' by Ordinance No.348.

II. **Present land use of land proposed to be included in the preserve and surrounding properties**.
The Subject Site is used for agricultural purposes and uses (see **above**: 1.E). The surrounding land appears to be open space, and irrigated farmland, according to aerial imagery.

III. **Whether or not the land proposed to be included in the preserve is presently employed in an agricultural use and, if so, the agricultural commodities grown thereon**.
According to the petition to enlarge an agricultural preserve submitted by the land owner with AG No. 1063, the current agricultural uses of the Subject Site includes commercial crops harvesting for alfalfa.

IV. **The agricultural commodities that may be grown on the property proposed to be included in the preserve taking into consideration the said type, water availability and other conditions that may affect the growing of crops.**

TBD.

V. **Whether or not the existing or proposed agricultural use of the land constitutes or could constitute a nuisance, public or private, to the surrounding lands.**

Due to the rural nature of the area and the vast amounts of open space, the proposed agricultural use is not expected to create a public or private nuisance on surrounding lands.

VI. **The current assessed valuation and the estimated reduction in assessed valuation if the real property proposed to be included in the preserve enters into a land conservation contract.**

TBD.

VII. **A list of cities that are within one mile of the proposed boundaries of the preserve, and any comments expressed by such a city on the application.**

No cities are within one mile of the proposed boundary of the preserve.

VIII. **The existence of any historic or scenic value to the lands proposed to be included in the preserve.**

No historic or scenic value to the Subject Site is known or found in this evaluation. The Subject Site is not close in proximity to the any highways to create a scenic value.

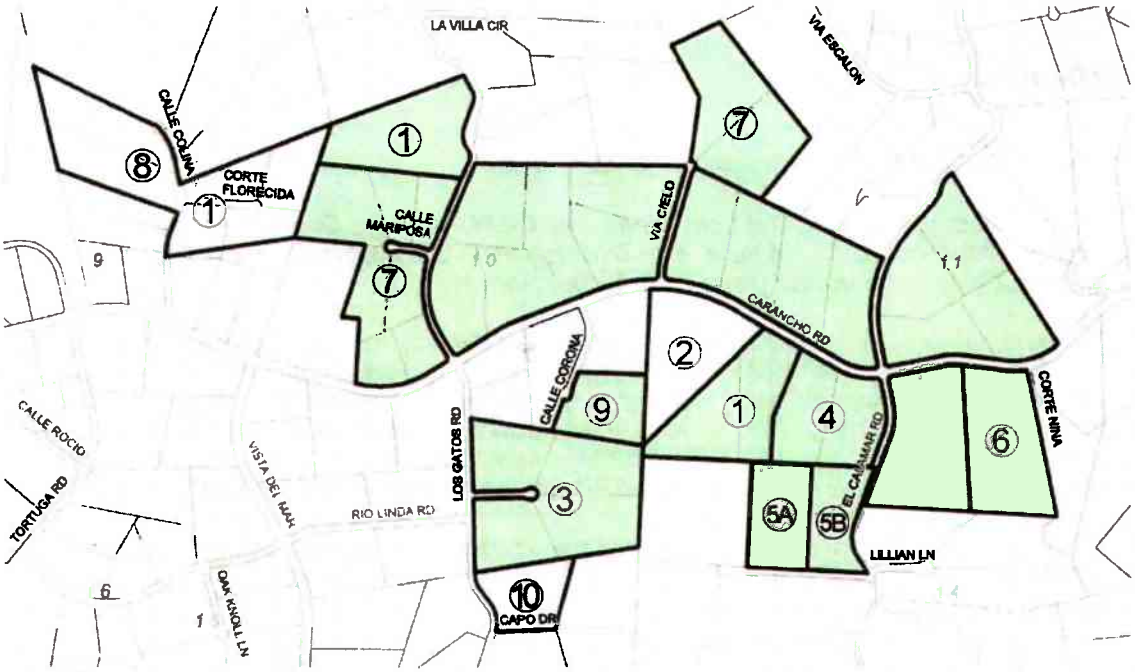
The acreages of each land owner included in the application and total acreage.

The Lin Hu Revocable Living Trust: total acreage is 9.55.

MAP NO. 355
RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 19

AMENDED BY MAP NO. 396, 408, 430, 436, 439, 480, 494, 600, 964, 180007

SANTA ROSA RANCHO
POR. P.M. 8/78-83, P.M. 13/84



AMENDMENTS:

NO. 1, (ENLARGEMENT), JANUARY 25, 1977, MAP NO. 396
NO. 2, (ENLARGEMENT), DENIED , MAP NO. 408
NO. 3, (ENLARGEMENT), FEB. 15, 1977 , MAP NO. 430
NO. 4, (ENLARGEMENT), FEB. 15, 1977 , MAP NO. 436
NO. 5A, (ENLARGEMENT), AUG. 27, 2002 , MAP NO. 439
NO. 5B, (ENLARGEMENT), AUG. 21, 1979 , MAP NO. 439
NO. 6, (ENLARGEMENT), FEB. 28, 1979 , MAP NO. 480
NO. 7, (ENLARGEMENT), FEB. 9, 1982 , MAP NO. 494
NO. 8. (ENLARGEMENT), MAY 7, 1985 , MAP NO. 600
NO. 9, (ENLARGEMENT), APRIL 17, 2007 , MAP NO. 964
NO. 10, (ENLARGEMENT), , MAP NO. 180007

N

0 360 720 1,0801,440 Feet

ADOPTED ON FEBRUARY 3, 1976
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA.

COUNTY OF RIVERSIDE

RIVERSIDE COUNTY
PLANNING DEPARTMENT

Charissa Leach
Assistant TLMA Director

January 3, 2020

Jie Qiang Wen & Yi Yang Wen
46950 Ave Tierra
Temecula, CA 92590

Dear Jie Qiang and Yi Yang:

RE: HANS (LITE) No. 190039
Assessor's Parcel Number(s): 933-120-039, -040

Pursuant to the Multiple Species Habitat Conservation Plan (MSHCP) and the County's General Plan, we have reviewed your Habitat Acquisition and Negotiation Strategy (HANS LITE) application for the subject property. The MSHCP criteria does not describe conservation for this property.

We will proceed with preparing a file for Joint Project Review (JPR) by the Regional Conservation Authority (RCA). All HANS cases must be processed through JPR before being scheduled for public hearing. As a HANS LITE case, the habitat assessments and/or focused surveys in the attached checklist are not required to be completed prior to transmittal to the RCA. However future discretionary actions on the parcel(s) will be required to complete the full HANS process, including submittal of habitat assessments and/or focused surveys, JPR, and review by the California Department of Fish and Wildlife and the Federal Fish and Wildlife Service.

Effective August 1, 2006, the RCA implemented the attached cost recovery policy that requires those projects that are subject to the JPR process to tender a deposit of $1,500 to the RCA.[1] **The RCA will contact you when the deposit for JPR is due.**

Please note that other state and federal regulations may be applicable to the development of your property. If you have any questions, please contact the Environmental Programs Division at (951) 955-8632.

Sincerely,

PLANNING DEPARTMENT

Ken Baez
Principal Planner

KB

xc: Matthew Poonamallee, Ecological Resource Specialist II

[1]Authority: RCA Board Resolution No. 06-05, Adopted 07-05-06

RIVERSIDE COUNTY
PLANNING DEPARTMENT

Charissa Leach
Assistant TLMA Director

April 21, 2020

Yi Yang Wen
46950 Avenida Tierra
Temecula, CA 92590

Dear Yi Yang Wen:

RE: JPR Complete
Assessor's Parcel Number(s): 933-120-039, -040
EPD Case Number(s): HAN190039, CZ1900018

This letter is to inform you that the HANS Lite case for the subject property was forwarded to the Regional Conservation Authority (RCA) for Joint Project Review (JPR) pursuant to Section 6.6.2 of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). As stated in the attached "RCA JPR Review", the RCA has concurred with the County that the project is not desired for Conservation under the MSHCP. The U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife have declined to comment on this HANS Lite.

You may now proceed with Planning Case Review.

If you have any questions or concerns, please contact Matthew Poonamallee with the Environmental Programs Division of the Planning Department at (951) 955-2706 or via email at mpoonama@rivco.org.

Sincerely,

PLANNING DEPARTMENT

MPoonamallee

Matthew Poonamallee
Ecological Resources Specialist II

RIVERSIDE COUNTY
PLANNING DEPARTMENT

Charissa Leach, P.E.
Assistant TLMA Director

APPLICATION FOR CHANGE OF ZONE

CHECK ONE AS APPROPRIATE:

☒ **Standard Change of Zone**

There are three different situations where a Planning Review Only Change of Zone will be accepted:

☐ **Type 1:** Used to legally define the boundaries of one or more Planning Areas within a Specific Plan.
☐ **Type 2:** Used to establish or change a SP zoning ordinance text within a Specific Plan.
☒ **Type 3:** Used when a Change of Zone application was conditioned for in a prior application.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

APPLICATION INFORMATION

Applicant Name: Lin Hu

Contact Person: Lin Hu E-Mail: linhu@planethollywood.com

Mailing Address: 2908 La Mesa Drive
Street
Henderson NV 89014
City State ZIP

Daytime Phone No: (702) 524-7115 Fax No: (702) -898-8628

Engineer/Representative Name: N/A

Contact Person: E-Mail:

Mailing Address:
Street
City State ZIP

Daytime Phone No: (____) Fax No: (____)

Property Owner Name: The Lin Hu Revocable Living Trust / Kevin Cong

Contact Person: Lin Hu E-Mail: linhu@planethollywood.com

Mailing Address: 2908 La Mesa Dr.
Street

Henderson	NV	89014
City	State	ZIP

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

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

AUTHORIZATION FOR CONCURRENT FEE TRANSFER

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

AUTHORITY FOR THIS APPLICATION IS HEREBY GIVEN:

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

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

LIN Hu	Lin Hu
PRINTED NAME OF PROPERTY OWNER(S)	SIGNATURE OF PROPERTY OWNER(S)
Kevin Cong	[illegible]
PRINTED NAME OF PROPERTY OWNER(S)	SIGNATURE OF PROPERTY OWNER(S)

PROPERTY INFORMATION:

Assessor's Parcel Number(s): 433-120-038-5

Approximate Gross Acreage: 10 Acres gross

General location (nearby or cross streets): North of CI Corona, South of

APPLICATION FOR CHANGE OF ZONE

Rancho Rd., East of Los Gatos Rd., West of CII Corona

Proposal (describe the zone change, indicate the existing and proposed zoning classifications. If within a Specific Plan, indicate the affected Planning Areas):

From Rural Residential (R-R) to Light Agriculture (A-1)

Related cases filed in conjunction with this request:

APE180007

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

Y:\Current Planning\LMS Replacement\Condensed P.D. Application Forms\295-1071 CZ Condensed Application.docx
Created: 07/06/2015 Revised: 07/30/2018

RIVERSIDE COUNTY
PLANNING DEPARTMENT

Charissa Leach, P.E.
Assistant TLMA Director

INDEMNIFICATION AGREEMENT REQUIRED FOR ALL PROJECTS

The owner(s) of the property, at their own expense, agree to defend, indemnify and hold harmless the County of Riverside and its agents, officers, and employees from and against any lawsuit, claim, action, or proceeding (collectively referred to as "proceeding") brought against the County of Riverside, its agents, officers, attorneys and employees to attack, set aside, void, or annul the County's decision to approve any tentative map (tract or parcel), revised map, map minor change, reversion to acreage, conditional use permit, public use permit, surface mining permit, WECS permit, hazardous waste siting permit, temporary outdoor event permit, plot plan, substantial conformance, revised permit, variance, setback adjustment, general plan amendment, specific plan, specific plan amendment, specific plan substantial conformance, zoning amendments, and any associated environmental documents. This defense and indemnification obligation shall include, but not limited to, damages, fees and/or costs awarded against the County, if any, and cost of suit, attorney's fees and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by applicant, property owner, the County, and/or the parties initiating or bringing such proceeding.

2/21/2021 2/21/2021

Property Owner(s) Signature(s) and Date

Kevin Cong Lin Hu

PRINTED NAME of Property Owner(s)

If the property is owned by multiple owners, the paragraph above must be signed by each owner. Attach additional sheets, if necessary.

If the property owner is a corporate entity, Limited Liability Company, partnership or trust, the following documentation must also be submitted with this application:

- *If the property owner is a limited partnership, provide a copy of the LP-1, LP-2 (if an amendment) filed with the California Secretary of State.*
- *If the property owner is a general partnership, provide a copy of the partnership agreement documenting who has authority to bind the general partnership and to sign on its behalf.*
- *If the property owner is a corporation, provide a copy of the Articles of Incorporation and/or a corporate resolution documenting which officers have authority to bind the corporation and to sign on its behalf. The corporation must also be in good standing with the California Secretary of State.*
- *If the property owner is a trust, provide a copy of the trust certificate.*

INDEMNIFICATION AGREEMENT PROPERTY OWNER INFORMATION

- *If the property owner is a Limited Liability Corporation, provide a copy of the operating agreement for the LLC documenting who has authority to bind the LLC and to sign on its behalf.*

If the signing entity is also a corporate entity, Limited Liability Company, partnership or trust, the above documentation must also be submitted with this application. For any out of State legal entities, provide documentation showing registration with the California Secretary of State.
In addition to the above, provide a copy of a Preliminary Title Report for the property subject to this application. The Preliminary Title Report must be issued by a title company licensed to conduct business in the State of California and dated less than six months prior to the date of submittal of this application. The Assistant TLMA Director may waive the requirement for a Preliminary Title Report if it can be shown to the satisfaction of the Assistant TLMA Director that the property owner(s) has owned the property consistently for at least the last five years.

ONLY FOR WIRELESS PROJECTS (SEE BELOW)

If the application is for a plot plan for a Wireless Communication Facility, the property owner(s) and the cellular service provider must sign the indemnification paragraph above. If the application is for a plot plan for a wireless communication co-location, only the co-locating service provider needs to sign the indemnification paragraph above.

NOTICE OF PUBLIC HEARING

A PUBLIC HEARING has been scheduled, pursuant to Riverside County Land Use Ordinance No. 348, before the **RIVERSIDE COUNTY PLANNING COMMISSION** to consider a proposed project in the vicinity of your property, as described below:

CHANGE OF ZONE NO. 1900019 – Exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15317 (Open Space Contracts or Easements) and 15061(b)(3) (Common Sense Exemption) – Applicant: The Lin Hu Revocable Living Trust – First Supervisorial District – Rancho California Zoning Area – Southwest Area Plan – Rural: Rural Mountainous (RM) (10 Acre Minimum) – 9.55 Acres – Location: Northerly of Buena Vista Road, southerly of Carancho Road, easterly of los Gatos Road, and westerly of el Calamar Road – Zoning: Light Agriculture (10 Acres Minimum) (A-1-10) – **REQUEST:** Change of Zone No. 1900019 proposes to change the site's zoning classification from Rural Residential (R-R) to Light Agriculture (A-1) for one (1) parcel on 9.55 acres. APN: 937-120-038.

TIME OF HEARING:	9:00 a.m. or as soon as possible thereafter.
DATE OF HEARING:	**MARCH 24, 2021**
PLACE OF HEARING:	RIVERSIDE COUNTY ADMINISTRATIVE CENTER BOARD CHAMBERS, 1ST FLOOR 4080 LEMON STREET, RIVERSIDE, CA 92501

Pursuant to Executive Order N-25-20, this meeting will be conducted by teleconference and at the place of hearing, as listed above. Public access to the meeting location will be allowed but limited to comply with the Executive Order. Information on how to participate in the hearing will be available on the Planning Department website at: https://planning.rctlma.org/. For further information regarding this project please contact the Project Planner Rob Gonzalez at (951) 955-9549 or email at rgonzalez@rivco.org, or go to the County Planning Department's Planning Commission agenda web page at http://planning.rctlma.org/PublicHearings.aspx.

The Riverside County Planning Department has determined that the above-described application is exempt from the provisions of the California Environmental Quality Act (CEQA). The Planning Commission will consider the proposed application at the public hearing. The case file for the proposed project is available for review via email by contacting the project planner. Please contact the project planner regarding additional viewing methods.

Any person wishing to comment on the proposed project may submit their comments in writing by mail or email, or by phone between the date of this notice and the public hearing; or, you may appear and be heard at the time and place noted above. You may participate remotely by registering with the Planning Department. All comments received prior to the public hearing will be submitted to the Planning Commission for consideration, in addition to any oral testimony, before making a decision on the proposed project. All correspondence received before and during the meeting will be distributed to the Planning Commission and retained for the official record.

If this project is challenged in court, the issues may be limited to those raised at the public hearing, described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing. Be advised that as a result of public hearings and comment, the Planning Commission may amend, in whole or in part, the proposed project. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the proposed project, may be changed in a way other than specifically proposed.

Please send all written correspondence to:
RIVERSIDE COUNTY PLANNING DEPARTMENT
Attn: Rob Gonzalez
P.O. Box 1409, Riverside, CA 92502-1409

PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN certify that on October 16, 2020,

The attached property owners list was prepared by Riverside County GIS,

APN (s) or case numbers CZ1900019 for

Company or Individual's Name RCIT - GIS,

Distance buffered 1200'

Pursuant to application requirements furnished by the Riverside County Planning Department. Said list is a complete and true compilation of the owners of the subject property and all other property owners within 600 feet of the property involved, or if that area yields less than 25 different owners, all property owners within a notification area expanded to yield a minimum of 25 different owners, to a maximum notification area of 2,400 feet from the project boundaries, based upon the latest equalized assessment rolls. If the project is a subdivision with identified off-site access/improvements, said list includes a complete and true compilation of the names and mailing addresses of the owners of all property that is adjacent to the proposed off-site improvement/alignment.

I further certify that the information filed is true and correct to the best of my knowledge. I understand that incorrect or incomplete information may be grounds for rejection or denial of the application.

TITLE: GIS Analyst

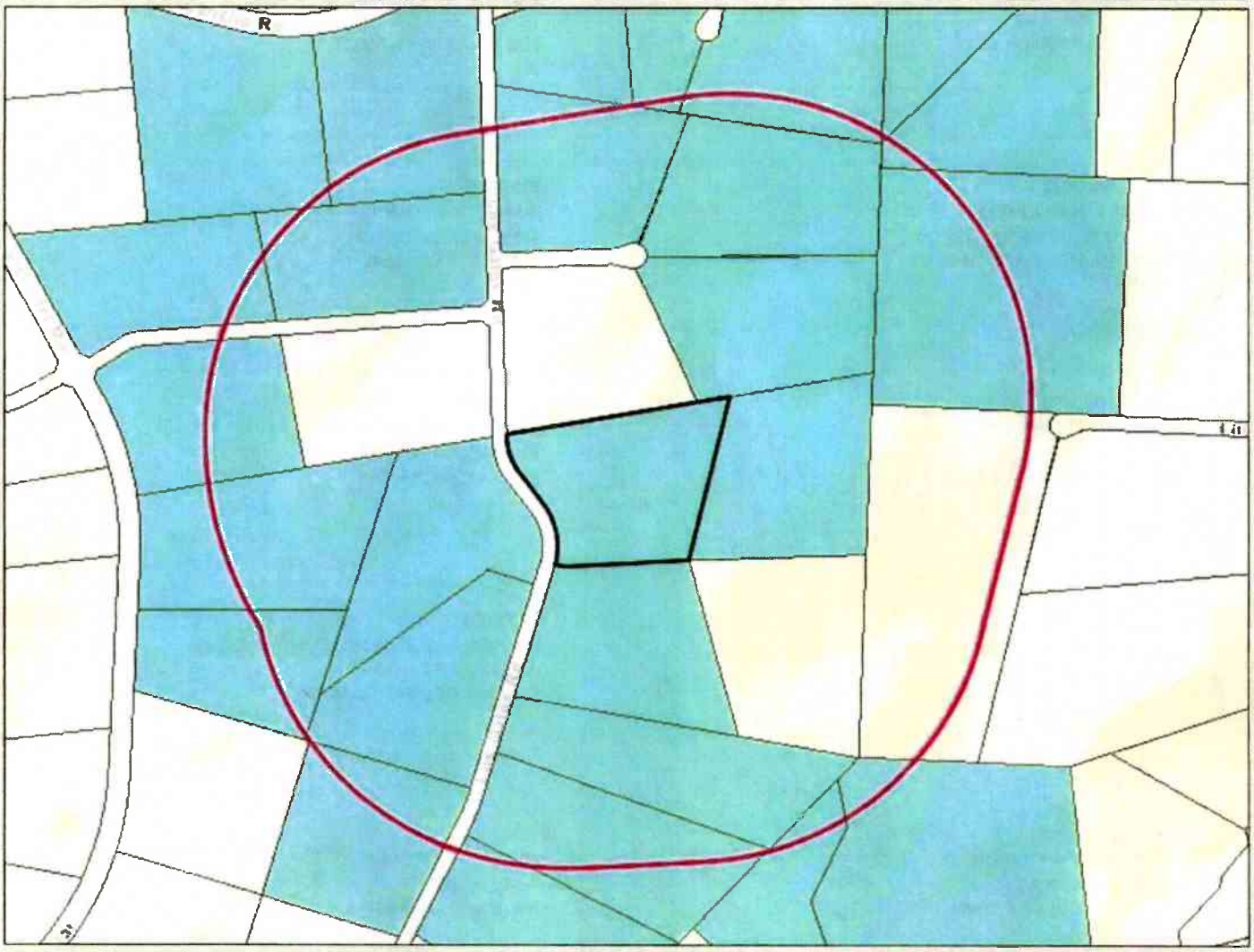
ADDRESS: 4080 Lemon Street 9TH Floor

Riverside, Ca. 92502

TELEPHONE NUMBER (8 a.m. – 5 p.m.): (951) 955-8158

Riverside County GIS Mailing Labels

CZ1900019 (1200 feet buffer)



Legend

- County Boundary
- Cities
- Parcels
- World Street Map

Notes

0 752 1,505 Feet

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

REPORT PRINTED ON... 10/16/2020 8:58:40 AM

© Riverside County RCIT

933070026
GARY J. FRANKHAUSER
P O BOX 9069
SAN DIEGO CA 92169

933120033
VERA A. FILIPIAN
1927 N EDGEMONT ST
LOS ANGELES CA 90027

933120032
BRYAN D. JOHNSON
31331 ANDRES PICO RD
SAN JUAN CAPO CA 92675

933120036
ROBERT J. KULWICKI
44880 LOS GATOS RD
TEMECULA CA 92592

933120050
EUGENE BIANCHI
44500 VISTA DEL MAR
TEMECULA CA 92590

933120035
ZULFIQAR AHMED
811 GREENRIDGE DR
LA CANADA CA 91011

933070069
CLEMENTS KENNETH & MASAKO TRUST DATED
20755 CARANCHO
TEMECULA CA 92590

933070087
POONEH RASSEKH TRUST EST 4/13/1990
4645 BRIGHTON RD
CORONA DEL MAR CA 92625

933070020
DAVID W. FRENCH
44130 ARPA DR
TEMECULA CA 92590

933070055
MELEMELE GROVES
PO BOX 2868
KAILUA KONA HI 96745

933070061
JOHN S. THOE
44420 VISTA DEL MAR
TEMECULA CA 92590

933070063
KENNETH C. MACK
44460 VISTA DEL MAR
TEMECULA CA 92590

933120038
KEVIN CONG
2908 LA MESA DR
HENDERSON NV 89014

933120049
SALVADOR ALVIZAR
13281 WOODLAND DR
TUSTIN CA 92780

933070043
MICHAEL L. PATTON
4325 HOLLOW TREE CT
YORBA LINDA CA 92886

933070044
TAROPA INV
1525 N MAR VISTA AVE
PASADENA CA 91104

933120034
MARIA M. ARAGON
30384 SIERRA MADRE DR
TEMECULA CA 92591

933120041
ANDRE HUMPHREY
424 E MACALESTER PL
CLAREMONT CA 91711

933070056
CHUMERI PROP
6081 ORANGE AVE
CYPRESS CA 90630

933070062
FLC LANDCO
28544 OLD TOWN FRONT 301
TEMECULA CA 92590

933120030
VOGEL CORP
PO BOX 86088
LOS ANGELES CA 90086

933120051
JAMES PAUL FREDETTE
44710 VISTA DEL MAR
TEMECULA CA 92590

933120019
CHARLES C. LEE
44952 VISTA DEL MAR
TEMECULA CA 92590

933120039
WST GROUP USA INC
24090 VALPARISO LN
TEMECULA CA 92590

933070054
ZIVELONGHI INV CO
5808 SUMMITVIEW STE A214
YAKIMA WA 98908

933070057
MCMILLAN TRUST DATED 11/09/2005
29379 RANCHO CALIFORNIA RD # 201
TEMECULA CA 92591

933070052
JAMES G. WAINER
P O BOX 564
TEMECULA CA 92593

Owner – CZ1900019
Lin Hu
2908 La Mesa Dr
Henderson, NV 89014

Applicant – CZ1900019
Kevin Cong
2908 La Mesa
Henderson, NV 89014

Kirkland West
Habitat Defense Council
PO Box 7821
Laguna Niguel, CA 92607-7821

Richard Drury
Theresa Rettinghouse
Lozeau Drury, LLC.
410 12th Street Suite 250
Oakland, CA 94607

RIVERSIDE COUNTY
PLANNING DEPARTMENT

John Hildebrand
Interim Planning Director

NOTICE OF EXEMPTION

TO: ☐ Office of Planning and Research (OPR)
P.O. Box 3044
Sacramento, CA 95812-3044
☒ County of Riverside County Clerk

FROM: Riverside County Planning Department
☐ 4080 Lemon Street, 12th Floor
P. O. Box 1409
Riverside, CA 92502-1409

☐ 38686 El Cerrito Road
Palm Desert, CA 92201

Project Title/Case No.: CHANGE OF ZONE NO.1900019/APE180007

Project Location: Buena Vista Road, south of Carancho Road, east of los Gatos Road and west of el Calamar Road.

Project Description: The proposal is to change the site's zoning classification from Rural Residential (R-R) to Light Agriculture (A-1) for one parcel on 9.55 acres to place these parcels in an agricultural preserve.

Name of Public Agency Approving Project: Riverside County Planning Department

Project Applicant & Address: Kevin Cong, 2908 La Mesa Dr., Henderson NV 89014

Exempt Status: ***(Check one)***

☐ Ministerial *(Sec. 21080(b)(1); 15268)*
☐ Declared Emergency *(Sec. 21080(b)(3); 15269(a))*
☐ Emergency Project *(Sec. 21080(b)(4); 15269 (b)(c))*
☒ Categorical Exemption *(Sec. 15061)*
☐ Statutory Exemption (_____)
☐ Other: _____

Reasons why project is exempt: The proposed Project was determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to Article 5, Section 15061(b)(3), Common Sense Exemption, since the Project meets this exemption because the entire Project site is farmed with citrus fruit and there are no plans to modify the existing site. The Project does not propose any new development on the site, nor does it disturb the existing physical environment. The Project will be considered, along with APE180007 by the Board which pursuant to CEQA Article 19, Categorical Exemption, Section 15317, is exempt for the establishment of an agricultural preserve and none of the exception pursuant to CEQA Section 15300.2 applies to the project. The change of zone merely facilitates the inclusion of an existing farmland into the Rancho California Agricultural Preserve No. 19 and help establish an associated Land Conservation Contract. The Project's site will continue to farm citrus fruits.

Rob Gonzalez
County Contact Person

951-955-9549
Phone Number

Signature

Urban Regional Planner
Title

2/1/2021
Date

Received for Filing and Posting at OPR: _____
Please charge deposit fee case#: ZCFW No. - County Clerk Posting Fee

FOR COUNTY CLERK'S USE ONLY

RIVERSIDE COUNTY
PLANNING DEPARTMENT

John Hildebrand
Planning Director

CZ1900019

RECEIVED RIVERSIDE COUNTY CLERK/BOARD OF SUPERVISORS
2021 AUG 25 PM 2:07

pls sm

Hearing Date: September 14, 2021

To: Clerk of the Board of Supervisors

From: Planning Department – Riverside (Planner: Rob Gonzalez)

MinuteTraq #: 14883

Project Description:

TRANSPORTATION & LAND MANAGEMENT AGENCY/PLAI
OF ZONE NO. 1900019, ADOPTION OF ORDINANCE NO.
ENLARGEMENT NO. 180007, RESOLUTION NO. 2(
CONSERVATION CONTRACT - CEQA EXEMPT - Applicant: 7
Supervisorial District – Rancho California Zoning Area – Southw
(RM) (10 Acre Minimum) – 9.55 Acres – Location: North of Bue
east of Los Gatos Road and west of El Calamar Road – Zonir
Change of Zone No. 1900019 proposes to change the site's zo
(R-R) to Light Agriculture (A-1). Agricultural Preserve Enlargem
Rancho California Agricultural Preserve No. 19 by 9.55 acres anc
APNs: 933-120-038 (9.55 total acres).

COUNTY OF RIVERSIDE
PLANNING DEPARTMENT

ROBERTO GONZALEZ
URBAN REGIONAL PLANNER II

RIVERSIDE COUNTY
PLANNING DEPARTMENT

4080 LEMON STREET 12TH FLOOR
RIVERSIDE, CA 92501

rgonzalez@rivco.org
PHONE: (951) 955-9549
planning.rctlma.org

The attached item(s) require the following action(s) by the Board of Supervisors:

- ☐ Place on Administrative Action
  - ☐ Receive & File
  - ☐ EOT
- ☐ Labels provided If Set For Hearing
  - ☐ 10 Day ☐ 20 Day ☐ 30 day
- ☐ Place on Consent Calendar
- ☐ Place on Policy Calendar (Resolutions; Ordinances; PNC)
- ☐ Place on Section Initiation Proceeding (GPIP)
- ☒ Set for Hearing (Legislative Action Required; CZ, GPA, SP, SPA)
- ☒ Publish in Newspaper: (1st Dist) Press Enterprise
- ☐ Addendum to earlier Environmental Document
  - ☐ 10 Day ☐ 20 Day ☐ 30 day
- ☒ Notify Property Owners (app/agencies/property owner labels provided)

Designate Newspaper used by Planning Department for Notice of Hearing:
(1st Dist) Press Enterprise

29 notices

9/14/21
Item 21.4

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

ITEM:
(ID # 14883)
MEETING DATE:
Tuesday, September 14, 2021

FROM : TLMA-PLANNING:

SUBJECT: TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: PUBLIC HEARING ON CHANGE OF ZONE NO. 1900019, ADOPTION OF ORDINANCE NO. 348. **4974** AGRICULTURAL PRESERVE ENLARGEMENT NO. 180007, RESOLUTION NO. 2021-171, AND ASSOCIATED LAND CONSERVATION CONTRACT - CEQA EXEMPT - Applicant: The Lin Hu Revocable Living Trust – First Supervisorial District – Rancho California Zoning Area – Southwest Area Plan – Rural: Rural Mountainous (RM) (10 Acre Minimum) – 9.55 Acres – Location: North of Buena Vista Road, south of Carancho Road, east of Los Gatos Road and west of El Calamar Road – Zoning: Rural Residential (R-R) - REQUEST: Change of Zone No. 1900019 proposes to change the site's zoning classification from Rural Residential (R-R) to Light Agriculture (A-1). Agricultural Preserve Enlargement No. 180007 proposes to enlarge the Rancho California Agricultural Preserve No. 19 by 9.55 acres and establish a land conservation contract - APNs: 933-120-038 (9.55 total acres). [Applicant Fees 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. **FIND** that the project is **EXEMPT** from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15317 (Open Space Contracts or Easements) and 15061(b)(3) (Common Sense Exemption), based on the findings and conclusions in the staff report; and,

1. **APPROVE CHANGE OF ZONE NO. 1900019**, to change the zoning classification for the subject property from R-R to A-1, based on the findings and conclusions provided in the staff report, in accordance with the attached Change of Zone Exhibit 3, attached hereto and incorporated herein by reference; and,

2. **ADOPT ORDINANCE NO. 348.4974**, amending the Rancho California Area shown on Map No. 180007, Change of Zone No. 1900019, attached hereto and incorporated herein by reference; and,

3. **APPROVE AGRICULTURAL PRESERVE ENLARGEMENT NO. 180007**, a proposal to enlarge the Rancho California Agricultural Preserve No. 19, as amended through Map No. 964, based upon the findings and conclusions provided in Comprehensive Agricultural Preserve Technical Advisory Report, attached hereto and incorporated herein by reference, and the findings and conclusion in the staff report; and,

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4. **ADOPT RESOLUTION NO. 2021-171,** enlarging the Rancho California Agricultural Preserve No. 19, as amended through Map No. 964, based on the findings and conclusions in the attached resolution and staff report; and,

5. **APPROVE and AUTHORIZE** the Chair of the Board of Supervisors to execute the attached land conservation contract with Lin Hu, trustee of the Lin Hu Revocable Living Trust dated December 7, 2004, and Kan Cong, trustee of the Kan Cong Revocable Living Trust dated May 30, 2006, for the real property located within the Rancho California Agricultural Preserve No. 19, as amended by Map No. 180007; and,

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

ACTION: Hearing

MINUTES OF THE BOARD OF SUPERVISORS

planning 9/14/21 item 21.4

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

PROJECT BACKGROUND:

Pursuant to Board of Supervisors Resolution No. 84-526 Section 204, which outlines the rules and regulations governing agricultural preserves in Riverside County, only land that currently has an agricultural zoning classification as defined in Section 21.3(b) of Ordinance No. 348, or for which the applicant has filed a request for a change of zone to such zoning, shall be included within the agricultural preserve. The project site's existing zoning classification of Rural Residential (R-R) zone is not considered an agricultural zone, pursuant to Ordinance No. 348, Section 21.3.b; therefore, a change of zone application needs to be processed with an Agricultural Preserve Case. Change of Zone No. 1900019 (CZ1900019) is a request to change the zoning classification of the project site from Rural Residential (R-R) to Light Agriculture (A-1). The proposed A-1 zone classification is an agricultural zone, pursuant to Section 21.3b of Ordinance No. 348 and is consistent with the site's General Plan Foundation Component and land use designation of Rural Mountainous (RM). A-1 is consistent with the site's current and future use of agriculture. Change of Zone No. 1900019 was presented to the Planning Commission on March 24, 2021, and the Commission recommended approval by a vote of 5-0.

The County's Agricultural Preserve program and State Williamson Act are designed to encourage agricultural use of suitable land instead of converting the land to non-agricultural uses. Properties that are within an agricultural preserve and have a land conservation contract provides the property owner with a reduction in the property taxes for their agricultural land, in exchange for long-term commitments to retain the land in agriculture. The Rancho California Agricultural Preserve No. 19 was established on February 3, 1976 by the Board of Supervisors with the adoption of Map No. 355 and consisted of approximately 319.22 acres. The Rancho California Agricultural Preserve No. 19 has been amended since then and is currently approximately 379.95 acres. Approval of Change of Zone No. 1900019 and Agricultural Preserve Enlargement No. 180007 referred as "the Project," will expand the Rancho California Agricultural Preserve No. 19 to an estimated 389.5 acres.

Agricultural Preserve Enlargement No. 180007 (APE 180007), is a request by the property owners, Lin Hu, trustee of the Lin Hu Revocable Living Trust dated December 7, 2004, and Kan Cong, trustee of the Kan Cong Revocable Living Trust dated May 30, 2006, to enlarge the Rancho California Agricultural Preserve No. 19, as amended through Map No. 964, and to enter a land conservation contract, pursuant to the Williamson Act (California Land Conservation

Planning 9/14/21 item 21.4

Act of 1965, Government Code § 51200 et. seq.). The subject property is approximately 9.55 acres and is adjacent to the existing Rancho California Agricultural Preserve No. 19. On September 11, 2019, APE180007 was presented to and was recommended for approval by the Comprehensive Agricultural Preserve Technical Advisory Committee (CAPTAC). The CAPTAC reports that the Project's site is currently utilized for the harvesting of citrus fruit. In addition, CAPTAC determined that irrigation water is available, and the site is suitable for commercial agricultural uses.

Environmental Review/Findings

This Project is exempt from the California Environmental Quality Act (CEQA) review pursuant to Article 5, Section 15061(b)(3), Common Sense Exemption, since it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. This Project is also exempt from CEQA review pursuant to Article 19 Categorical Exemption, Section 15317, which provides an exemption from the CEQA process for "the establishment of agricultural preserves, the making and renewing of open space contracts under the Williamson Act, or the acceptance of easements or fee interests in order to maintain the open space character of the area." The findings in the attached staff report for both CEQA exemptions are incorporated herein by reference.

Impact on Residents and Businesses

The Project site will not have a significant effect on surrounding property owners, because the Project will not result in any substantial changes to the environment. The site is currently utilized for the harvesting of citrus fruit and no new land use or development activity is proposed at this time.

ATTACHMENTS:

A. **COMPREHENSIVE AGRICULTURAL PRESERVE TECHNICAL ADVISORY COMMITTEE REPORT**
B. **PLANNING COMMISSION MINUTES AND STAFF REPORT AND EXHIBITS**
C. **ORDINANCE NO. 348.4974**
D. **RESOLUTION NO. 2021-171**
E. **LAND CONSERVATION CONTRACT**

Planning 9/14/21 Item 21.4

933070026
GARY J. FRANKHAUSER
P O BOX 9069
SAN DIEGO CA 92169

933120033
VERA A. FILIPIAN
1927 N EDGEMONT ST
LOS ANGELES CA 90027

933120032
BRYAN D. JOHNSON
31331 ANDRES PICO RD
SAN JUAN CAPO CA 92675

933120036
ROBERT J. KULWICKI
44880 LOS GATOS RD
TEMECULA CA 92592

933120050
EUGENE BIANCHI
44500 VISTA DEL MAR
TEMECULA CA 92590

933120035
ZULFIQAR AHMED
811 GREENRIDGE DR
LA CANADA CA 91011

933070069
CLEMENTS KENNETH & MASAKO TRUST DATED
20755 CARANCHO
TEMECULA CA 92590

933070087
POONEH RASSEKH TRUST EST 4/13/1990
4645 BRIGHTON RD
CORONA DEL MAR CA 92625

933070020
DAVID W. FRENCH
44130 ARPA DR
TEMECULA CA 92590

933070055
MELEMELE GROVES
PO BOX 2868
KAILUA KONA HI 96745

933070061
JOHN S. THOE
44420 VISTA DEL MAR
TEMECULA CA 92590

933070063
KENNETH C. MACK
44460 VISTA DEL MAR
TEMECULA CA 92590

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P O BOX 564
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Planning 9/14/21 Item 21.4

Owner – CZ1900019
Lin Hu
2908 La Mesa Dr
Henderson, NV 89014

Applicant – CZ1900019
Kevin Cong
2908 La Mesa
Henderson, NV 89014

Planning 9/14/21 Item 21.4

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON A CHANGE OF ZONE AND ASSOCIATED ORDINANCE IN THE SOUTHWEST AREA PLAN, FIRST 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, September 14, 2021 at 10:00 A.M.** or as soon as possible thereafter, to consider the Planning Department's recommended approval on **Change of Zone No. 1900019,** which proposes to change the site's zoning classification from Rural Residential (R-R) to Light Agriculture (A-1). **Agricultural Preserve Enlargement No. 180007** proposes to enlarge the Rancho California Agricultural Preserve No. 19 by 9.55 acres and establish a land conservation contract - APNs: 933-120-038 (9.55 total acres). This project is located North of Buena Vista Road, south of Carancho Road, east of Los Gatos Road and west of El Calamar Road in the First Supervisorial District.

The Riverside County Planning Department recommends that the Board of Supervisors find that the project is **EXEMPT from the California Environmental Quality Act (CEQA)**, approve **Change of Zone No. 1900019**, consider **Adopting Ordinance No. 348.4974,** and **Approve Agricultural Preserve Enlargement No. 180007.**

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 ROBERTO GONZALEZ, URBAN REGIONAL PLANNER III, AT (951) 955-9549 OR EMAIL RGONZALEZ@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, Post Office Box 1147, Riverside, CA 92502-1147 or email cob@rivco.org

Dated: August 30, 2021

Kecia R. Harper, Clerk of the Board
By: Zuly Martinez, Board Assistant

Planning 9/14/21 item 21.4

THE PRESS-ENTERPRISE

1825 Chicago Ave, Suite 100
Riverside, CA 92507
951-684-1200
951-368-9018 FAX

PROOF OF PUBLICATION
(2010, 2015.5 C.C.P)

Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: NOTICE OF PUBLIC HEARING: CZ1900019
/

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

09/04/2021

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: September 04, 2021
At: Riverside, California

Legal Advertising Representative, The Press-Enterprise

BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE
PO BOX 1147
RIVERSIDE, CA 92502

Ad Number: 0011485544-01

P.O. Number:

Ad Copy:

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON A CHANGE OF ZONE AND ASSOCIATED ORDINANCE IN THE SOUTHWEST AREA PLAN, FIRST SUPERVISORIAL DISTRICT

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The Riverside County Planning Department recommends that the Board of Supervisors find that the project is **EXEMPT from the California Environmental Quality Act (CEQA),** approve **Change of Zone No. 1900019,** consider **Adopting Ordinance No. 348.4974,** and **Approve Agricultural Preserve Enlargement No. 180007.**

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Dated: August 30, 2021 Kecia R. Harper, Clerk of the Board
By: Zuly Martinez, Board Assistant
Press-Enterprise: 9/04

Planning
Item 21.4
9/14/21

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON A CHANGE OF ZONE AND ASSOCIATED ORDINANCE IN THE SOUTHWEST AREA PLAN, FIRST SUPERVISORIAL DISTRICT

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Dated: August 30, 2021

Kecia R. Harper, Clerk of the Board
By: Zuly Martinez, Board Assistant

Planning 9/14/21 Item 21.4

Riverside County Clerk of the Board
County Administrative Center
4080 Lemon Street, 1st Floor Annex
P. O. Box 1147
Riverside, CA 92502-1147

PRESORTED
FIRST CLASS

U.S. POSTAGE PITNEY B
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PUBLIC HEARING NOTICE

This may affect your property

RECEIVED RIVERSIDE COUNTY
CLERK/BOARD OF SUPERVISORS
2021 SEP -8 AM 10: 12

933120051
JAMES PAUL FREDETTE
44710 VISTA DEL MAR
TEMECULA CA 92590

910 NFE 1260720C0009/03/2
FORWARD TIME EXP RTN TO SEND
FREDETTE JAMES P
PO BOX 9806
NEWPORT BEACH CA 92658-1806

RECEIVED RIVERSIDE COUNTY
CLERK / BOARD OF SUPERVISORS
2021 SEP 27 PM 1:21

STATE OF CALIFORNIA - THE RESOURCES AGENCY
DEPARTMENT OF FISH AND GAME

ENVIRONMENTAL FILING FEE CASH RECEIPT

Receipt #: 21-421172

State Clearinghouse # (if applicable):

Lead Agency: CLERK OF THE BOARD OF SUPERVISORS *Date:* 08/31/2021

County Agency of Filing: RIVERSIDE *Document No:* E-202100925

Project Title: CHANGE OF ZONE NO. 1900019, AGRICULTURAL PRESERVE ENLARGEMENT NO. 180007

Project Applicant Name: CLERK OF THE BOARD OF SUPERVISORS *Phone Number:* (951) 955-9549

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* $0.00
  - ☐ *Project that is exempt from fees (DFG No Effect Determination (Form Attached))*
  - ☐ *Project that is exempt from fees (Notice of Exemption)*

Total Received $0.00

Signature and title of person receiving payment: Deputy

Notes:

ACR 533 (Est. 12/2013)

9/14/21 21.4
2022-2-15 11:52

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

FILED / POSTED
County of Riverside
Peter Aldana
Assessor-County Clerk-Recorder
E-202100925
08/31/2021 11:51 AM Fee: $ 0.00
Page 1 of 2
Removed 9/21/21 By Izzy Sawyer Deputy

(SPACE FOR CLERK'S USE)

Project Title

CHANGE OF ZONE NO. 1900019,
AGRICULTURAL PRESERVE ENLARGEMENT NO. 180007

Filing Type

- ☐ Environmental Impact Report
- ☐ Mitigated/Negative Declaration
- ☐ Notice of Exemption
- ☑ Other: NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON A CHANGE OF ZONE AND ASSOCIATED ORDINANCE IN THE SOUTHWEST AREA PLAN, FIRST SUPERVISORIAL DISTRICT

Notes

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON A CHANGE OF ZONE AND ASSOCIATED ORDINANCE IN THE SOUTHWEST AREA PLAN, FIRST 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, September 14, 2021 at 10:00 A.M.** or as soon as possible thereafter, to consider the Planning Department's recommended approval on **Change of Zone No. 1900019,** which proposes to change the site's zoning classification from Rural Residential (R-R) to Light Agriculture (A-1). **Agricultural Preserve Enlargement No. 180007** proposes to enlarge the Rancho California Agricultural Preserve No. 19 by 9.55 acres and establish a land conservation contract - APNs: 933-120-038 (9.55 total acres). This project is located North of Buena Vista Road, south of Carancho Road, east of Los Gatos Road and west of El Calamar Road in the First Supervisorial District.

The Riverside County Planning Department recommends that the Board of Supervisors find that the project is **EXEMPT from the California Environmental Quality Act (CEQA)**, approve **Change of Zone No. 1900019**, consider **Adopting Ordinance No. 348.4974,** and **Approve Agricultural Preserve Enlargement No. 180007.**

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 ROBERTO GONZALEZ, URBAN REGIONAL PLANNER III, AT (951) 955-9549 OR EMAIL RGONZALEZ@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, Post Office Box 1147, Riverside, CA 92502-1147 or email cob@rivco.org

Dated: August 30, 2021

Kecia R. Harper, Clerk of the Board
By: Zuly Martinez, Board Assistant