

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



ITEM: 23.1
(ID # 29633)

MEETING DATE:

Tuesday, February 03, 2026

FROM : TLMA-PLANNING

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/PLANNING: ADOPT RESOLUTION NO. 2026-016 AMENDING THE RULES AND REGULATIONS GOVERNING AG PRESERVES, SUPERSEDING RESOLUTION NO. 84-526 (AGRICULTURAL PRESERVES AND CAPTAC) – Not a project/exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3) (Commonsense Exemption) – Applicant: County of Riverside – All Supervisorial Districts – REQUEST: Conduct a public hearing and recommend approval of a Resolution amending the Rules and Regulations Governing Agricultural Preserves in Riverside County as attached to Resolution No. 84-526. Amendments include a change in the Comprehensive Agricultural Preserve Technical Advisory Committee (CAPTAC) hearing body formation from the current makeup to the Planning Commission, establishing Agricultural Preserve entitlement findings, and general provision cleanups to become consistent with State law; All Districts. (\$25,000 Total Cost - 100% Department Funds)

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) **FIND** that the action is not a project and is **EXEMPT** from the California Environmental Quality Act (CEQA), pursuant to Sections 15061(b)(3) (Commonsense Exemption); and,
- 2) **ADOPT BOARD OF SUPERVISORS RESOLUTION NO. 2026-016** to replace and supersede Resolution No. 84-526, which amends the attached Rules and Regulations Governing Agricultural Preserves in Riverside County, based upon the findings and conclusions provided in this staff report.


ACTION:Policy


John Hildebrand, Planning Director 1/29/2026

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Medina, Spiegel, Washington, Perez, and Gutierrez
Nays: None
Absent: None
Date: February 3, 2026
xc: Planning

Kimberly A. Rector
Clerk of the Board
By: 
Deputy

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$25,000	\$0	\$25,000	\$0
NET COUNTY COST	\$0	\$0	\$0	\$0
SOURCE OF FUNDS: 100% Department Funds			Budget Adjustment: No	
			For Fiscal Year: 25/26	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

Resolution No. 84-526's attached Rules and Regulations Governing Agricultural Preserves in Riverside County (Rules and Regulations) has been the guiding document that sets forth the rules for administration of the County's agricultural preserves since 1984. Among other things, it provides for the formation of the Comprehensive Agricultural Preserve Technical Advisory Committee (CAPTAC), which is the hearing body that prepares a report on applications involving agricultural preserves and advises the Board of Supervisors on the administration of agricultural preserves, including matters related to the establishment, disestablishment, diminishment, and enlargement of agricultural preserves, and related contracts, within the unincorporated areas of Riverside County. That Resolution and attached Rules and Regulations are dated December 18, 1984, and as such, have become outdated and inconsistent in some ways with newer State law changes related to agricultural preserves. Furthermore, formation of the CAPTAC hearing body has become increasingly challenging and, oftentimes, a quorum is not obtained. The 1984 Rules and Regulations currently state that members of CAPTAC shall include representatives from the following organizations:

- 1) Agricultural Commissioner
- 2) U.S.D.A Soil Conservation Service
- 3) University of California – Cooperative Extension, County of Riverside
- 4) County Assessor

A proposed change to the Rules and Regulations will amend the CAPTAC formation, transferring its duties and authority to the Riverside County Planning Commission. (Current CAPTAC members will still receive notification of ag preserve-related projects, however.) In addition to this change, there are general cleanup provision updates and minor additions to reflect State law changes, such as hearing notices and definitions, and correcting typographic errors and updating administrative practices to reflect actual practice. Further changes include a reorganization coupled with additions to explicitly state findings related to each of the agricultural preserve case types: establishment, enlargement, and diminishment.

Changes to the Rules and Regulations are required to be undertaken by resolution pursuant to Government Code section 51231(a). The County also has an ordinance, Ordinance No. 509 (Agricultural Preserves), that relates to ag preserves that sets forth uses that are allowed within an established agricultural preserve. This ordinance was first adopted November 28, 1966, along with two subsequent amendments on March 3, 1988, and June 16, 1988. At this time, no changes to the ordinance are proposed. However, as a phase II effort, staff will be reviewing the

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

list of uses and will provide amendment suggestions. Additional community outreach will be conducted in the future.

The Board of Supervisors initiated these changes to the Rules and Regulations on **August 27, 2024**, directing staff to prepare the amendment and bring back to the Board for consideration.

A public workshop to discuss these proposed changes and inform the Planning Commission members of their upcoming additional responsibilities was held on **November 5, 2025**. There was no opposition or concerns from the public or the current CAPTAC members.

This proposal was heard at the **December 17, 2025**, Planning Commission and was recommended for approval to the Board of Supervisors by a 4-0 vote, with one Commissioner absent.

Because this proposal is merely updating the Rules and Regulations Government Ag Preserves to reflect current state law and preferred County administrative practices, it is not a project pursuant to CEQA. In addition, because there is no possibility that such administrative changes and state law consistency updates may result in a significant environmental impact, the proposal is also exempt from CEQA under the Commonsense exemption.

Impact on Residents and Businesses

There will be no negative impacts on residents or businesses, as this proposal is simply changing the makeup of the Agricultural hearing body formation and amending the Rules and Regulations Governing Agricultural Preserves to become consistent with State law.

Additional Fiscal Information

Amending the Rules and Regulations Governing Agricultural Preserves is a one-time cost of \$25,000, requiring Planning Department and County Counsel involvement, coupled with community outreach and public hearings. Once approved and effective, there are no further or ongoing costs.

EXHIBITS:

- A. Board of Supervisors Initiation – August 27, 2024
- B. Planning Commission Staff Report – December 17, 2025
- C. Resolution No. 84-526 (Rules and Regulations Governing Agricultural Preserves)
- D. Resolution No. 2026-016 (Rules and Regulations Governing Agricultural Preserves)
- E. Rules and Regulations Governing Agricultural Preserves – Redline / Strikeout Changes
- F. Rules and Regulations Governing Agricultural Preserves – Draft Clean Version
- G. California Environmental Quality Act (CEQA) – Notice of Exemption (NOE)


Crystal Carrillo, Senior Management Analyst 1/28/2026



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

Receipt: 26-38451

Product	Name	Extended
FISH	CLERK FISH AND GAME FILINGS	\$50.00
	# Pages	1
	Document #	E-202600089
	Filing Type	7
	State Fee Prev Charged	false
	No Charge Clerk Fee	false
	F&G Notice of Exemption Fee	\$50.00
Total		\$50.00
Tender (On Account)		\$50.00
Account#	PL	
Account Name	PL - PLANNING DEPT	
Balance	\$167,221.25	



State of California - Department of Fish and Wildlife
2026 ENVIRONMENTAL DOCUMENT FILING FEE CASH RECEIPT
 DFW 753.5a (REV. 01/01/26) Previously DFG 753.5a

RECEIPT NUMBER: 26-38451
STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY RIVERSIDE COUNTY PLANNING DEPARTMENT	LEAD AGENCY EMAIL JHILDEBR@RIVCO.ORG	DATE 02/09/2026
COUNTY/STATE AGENCY OF FILING RIVERSIDE	DOCUMENT NUMBER E-202600089	

PROJECT TITLE
CAPTAC - RESOLUTION NO. 84-526 AMENDMENTS

PROJECT APPLICANT NAME RIVERSIDE COUNTY PLANNING DEPARTMENT	PROJECT APPLICANT EMAIL JHILDEBR@RIVCO.ORG	PHONE NUMBER +19519551888
PROJECT APPLICANT ADDRESS 4080 LEMON STREET, 12TH FLOOR	CITY RIVERSIDE	STATE CALI
		ZIP CODE 92501

PROJECT APPLICANT (Check appropriate box)

Local Public Agency
 School District
 Other Special District
 State Agency
 Private Entity

CHECK APPLICABLE FEES:

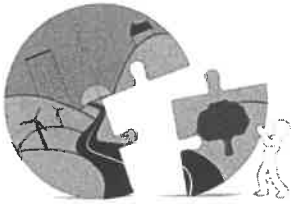
<input type="checkbox"/> Environmental Impact Report (EIR)	\$4,227.50	\$ _____
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$3,043.75	\$ _____
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,437.25	\$ _____
<input checked="" type="checkbox"/> Exempt from fee		
<input checked="" type="checkbox"/> Notice of Exemption (attach)		
<input type="checkbox"/> CDFW No Effect Determination (attach)		
<input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy)		
<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$ _____
<input checked="" type="checkbox"/> County documentary handling fee		\$ _____ \$50.00
<input type="checkbox"/> Other		\$ _____

PAYMENT METHOD:

Cash
 Credit
 Check
 Other

TOTAL RECEIVED \$ _____ \$50.00

SIGNATURE <i>X C. Sandoval</i>	AGENCY OF FILING PRINTED NAME AND TITLE Deputy Cassandra Sandoval
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RIVERSIDE COUNTY PLANNING DEPARTMENT

John Hildebrand
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.: CAPTAC - Resolution No. 84-526 Amendments

Project Location: In all unincorporated areas of Riverside County (Countywide Ordinance)

Project Description: Conduct a public hearing and recommend approval of a Resolution amending the Rules and Regulations Governing Agricultural Preserves in Riverside County attached to Resolution No. 84-526 that forms the Comprehensive Agricultural Preserve Technical Advisory Committee (CAPTAC) hearing body. Amendments include a change in the hearing body formation from the current makeup to the Riverside County Planning Commission, establishing Agricultural Preserve entitlement findings, and general provision cleanups to become consistent with State law.

Name of Public Agency Approving Project: Riverside County Planning Department

Project Applicant & Address: Riverside County, 4080 Lemon Street, 12th Floor, Riverside, CA 92501

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 (Section 15061(b)(3))
- Statutory Exemption (_____)
- Other: _____

Reasons why project is exempt: This proposed project is exempt from the California Environmental Quality Act (CEQA) review pursuant State CEQA Guidelines Section 15061(b)(3) (Commonsense Exemptions). The project includes a reformation of a hearing body and amended language to become consistent with State law, related to agricultural preserves. There is no grading or construction associated with this project and therefore, no physical environmental impacts.

John Earle Hildebrand III _____ (951) 955-1888 _____
County Contact Person Phone Number

Signature

Planning Director

Title

02/03/2026

Date

Date Received for Filing and Posting at OPR: _____

FOR COUNTY CLERK'S USE ONLY

FILED / POSTED

County of Riverside
Peter Aldana
Assessor-County Clerk-Recorder

E-202600089
02/03/2026 11:23 AM Fee: \$ 50.00
Page 1 of 1

Removed: _____ By: _____ Deputy



County Clerk Posting Fee = \$50.00

Document Root (Read-Only)

Selected Document

2026020282 - NOE - CAPTAC - Resolution No. 84-526 Amendments

Riverside County

Created - 2/9/2026 | Submitted - 2/9/2026 | Posted - 2/9/2026 | Received - 2/9/2026 | Published - 2/9/2026

Whitney N Mayo

Document Details

Public Agency

Riverside County

Document Type

Notice of Exemption

Document Status

Published

Title

CAPTAC - Resolution No. 84-526 Amendments

Document Description

Conduct a public hearing and recommend approval of a Resolution amending the Rules and Regulations Governing Agricultural Preserves in Riverside County attached to Resolution No. 84-526 that forms the Comprehensive Agricultural Preserve Technical Advisory Committee (CAPTAC) hearing body. Amendments include a change in the hearing body formation from the current makeup to the Riverside County Planning Commission, establishing Agricultural Preserve entitlement findings, and general provision cleanups to become consistent with State law.

Attachments (Upload Project Documents)

23.1 - NOE - CAPTAC Amendment.pdf

Contacts

Riverside County Planning Department - *John Hildebrand*

4080 Lemon Street 12th Floor
Riverside, CA 92501
Phone : (951) 955-1888
JHildebr@RIVCO.ORG

Regions

Southern California

Counties

Riverside

Cities

In all unincorporated areas of Riverside County (Countywide)

Location Details

Other Location Info

In all unincorporated areas of Riverside County (Countywide Ordinance)

Notice of Exemption

Exempt Status

Other

Type, Section Number or Code Number

15061(b)(3)

Reasons why project is exempt

This proposed project is exempt from the California Environmental Quality Act (CEQA) review, pursuant State CEQA Guidelines Section 15061(b)(3) (Commonsense Exemptions). The project includes a reformation of a hearing body and amended language to become consistent with State law, related to agricultural preserves. There is no grading or construction associated with this project and therefore, no physical environmental impacts.

County Clerk(s)

Riverside

Signature

Title

Date

Mayo, Whitney

From: Thomas Hubbard <THOMAS.HUBBARD@lci.ca.gov>
Sent: Monday, February 9, 2026 1:54 PM
To: Mayo, Whitney
Subject: SCH Number 2026020282

Hello,

Thank you for submitting your notice through CEQA Submit. Your document has been successfully published.

To view your submission, use the following link.

<https://ceqasubmit.lci.ca.gov/Document/Index/329734/1>

Please contact the SCH with any questions at state.clearinghouse@lci.ca.gov.

Thank you,



Thomas Hubbard | *he/him/his*

Jr. CEQA Analyst

Governor's Office of Land Use & Climate Innovation

thomas.hubbard@lci.ca.gov

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****Note:** No reply, response, or information provided constitutes legal advice.

LCI - Public

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2 RESOLUTION NO. 2026-016

3 AMENDING THE RULES AND REGULATIONS
4 GOVERNING AGRICULTURAL PRESERVES
5 IN RIVERSIDE COUNTY

6
7 WHEREAS, the Rules and Regulations Governing Agricultural Preserves in Riverside County, as
8 adopted by the Board of Supervisors pursuant to Section 51231 of the Government Code, require certain
9 amendments; and

10 WHEREAS, a public hearing was held by the Board of Supervisors on Tuesday, February 3, 2026,
11 on the proposed Rules and Regulations Governing Agricultural Preserves; now, therefore,

12 BE IT RESOLVED, DETERMINED, AND ORDERED by the Board of Supervisors of the County
13 of Riverside, State of California, in regular session assembled on February 3, 2026, that the document
14 entitled Rules and Regulations Governing Agricultural Preserves in Riverside County, dated February 3,
15 2026, is hereby adopted, pursuant to Section 51231 of the Government Code, as the rules and regulations
16 for the administration of agricultural preserves in the County of Riverside.

FORM APPROVED COUNTY COUNSEL
BY: *M.R.C.* 1/8/2026
DATE: MELISSA R. CUSHMAN

1 Section 102. Definitions.

2 As used in these Rules, unless otherwise apparent from the context:

- 3 (a) "Agricultural commodity" means any and all plant and animal products produced in Riverside
4 County for commercial purposes.
- 5 (b) "Agricultural use" means use of land for the purpose of producing an agricultural commodity for
6 commercial purposes.
- 7 (c) "Agricultural preserve" or "preserve" means an area devoted to those agricultural or other uses
8 allowed under the provisions of the Land Conservation Act of 1965, and those compatible uses as
9 designated and established by the Board after notice and hearing.
- 10 (d) "Board" means the Board of Supervisors of Riverside County.
- 11 (e) "CAPTAC" means the Comprehensive Agricultural Preserve Technical Advisory Committee,
12 which reviews and prepares a report on applications involving agricultural preserves and advises
13 the Board on the administration of the agricultural preserves in the County.
- 14 (f) "Compatible use" is any use so defined in County Ordinance No. 509, as may be amended from
15 time to time.
- 16 (g) "Contract" means a Land Conservation Contract executed between the County and the landowner
17 in accordance with these Rules.
- 18 (h) "County" means the County of Riverside, State of California.
- 19 (i) "Land Conservation Act of 1965" means those provisions of the Government Code commencing
20 with Section 51200, as may be amended from time to time, which pertain to agricultural land and
21 which is also known as the Williamson Act.
- 22 (j) "Owner's Petition" means the verified petition of an owner of each parcel of land listed in an
23 application for the creation of a preserve or the addition of land to an existing preserve.
- 24 (k) "Proximate, noncontracted land" means land not restricted by Contract pursuant to these Rules,
25 which is sufficiently close to land which is so restricted that it can serve as a practical alternative
26 for the use which is proposed for the restricted land.
- 27 (l) "Rules" means these "Rules and Regulations Governing Agricultural Preserves in Riverside
28 County."

1 (m) "Suitable" for the proposed use as used in Sections 510 and 511 of these Rules, means that salient
2 features of the proposed use can be served by land not restricted by Contract pursuant to these Rules.
3 Such nonrestricted land may be a single parcel or may be a combination of contiguous or
4 discontinuous parcels.

5 DIVISION II

6 ESTABLISHMENT AND ENLARGEMENT OF AGRICULTURAL PRESERVES

7 Section 201. Agricultural Preserve Application.

8 Any landowner or group of landowners may initiate an application to the Board to establish an agricultural
9 preserve or to enlarge the size of the preserve. An application to establish a preserve or to enlarge a preserve
10 may also be initiated by the Board but shall not be acted upon until the Owner's Petition for each owner of
11 any parcel of land included within the application has been filed by the owner.

12 Section 202. Contents of Applications for Establishments or Enlargements.

13 The Planning Department shall provide forms on which applications for establishments or enlargements are
14 to be made. An application, to be complete, must contain the following information:

- 15 (1) The applicant's name, address, and telephone number. If the applicant has a representative, the
16 name, address and telephone number of the representative.
- 17 (2) A statement setting forth whether the basis of the application is the establishment or enlargement of
18 an agricultural preserve.
- 19 (3) A legal description of the exterior boundaries of the land to be included within the agricultural
20 preserve.
- 21 (4) The names and addresses of the owners of the land involved in the application.
- 22 (5) The acreage and assessment numbers of the land involved in the application.
- 23 (6) An Owner's Petition for each separate ownership of land involved in the application. Spouses, a
24 partnership, a corporation, a trust, or other joint ownership shall be considered as one owner.
- 25 (7) A map of the land affected by the application showing the properties belonging to the separate
26 ownerships.
- 27 (8) A nonrefundable filing fee as set forth in Section 706 of these Rules for each application and for
28 each Owner's Petition.

1 Section 203. Owner's Petition for Establishments or Enlargements.

2 The Owner's Petition is the verified petition of an owner of each parcel of land listed in an application for
3 the creation of a preserve or the addition of land to an existing preserve which shall be filed with the
4 application. The petition shall be on forms provided by the Planning Department. A petition, to be complete,
5 must contain the following information:

6 (1) The name of the owner petitioner.

7 (2) The names and addresses of all record owners of the property proposed to be included within a
8 preserve, including the names and addresses of all persons holding a mortgage or beneficial interest
9 under a trust deed in the property.

10 (3) If owner is a partnership or a corporation, a notarized statement from said partnership or corporation
11 indicating that the petitioner is authorized to act on behalf of the partnership or corporation, shall be
12 included.

13 (4) A complete legal description of boundaries of the petitioner's property as shown in the deed or title
14 insurance policy.

15 (5) A statement as to the present use of the land and any agricultural commodities produced on the land.

16 (6) The acreage amount and the assessment number of the property proposed to be included in the
17 preserve.

18 A petition that does not contain the above information shall be returned by the Planning Director, along
19 with the application it is part of, as being incomplete.

20 Section 204. Report of the Planning Director.

21 After the filing of a completed application and any attached Owner's Petition(s), the Planning Director shall
22 prepare a report on the application for the Board. The report shall contain the following:

23 (1) The report of the CAPTAC.

24 (2) A statement as to whether or not the application is consistent with the General Plan.

25 (3) A map showing the location and boundaries of any preserve proposed to be established or any land
26 proposed to be added to an established preserve.

27 (4) A recommended motion regarding the application to establish or enlarge an agricultural preserve.

28

1 (5) A legal description of the exterior boundaries of the land to be included within the agricultural
2 preserve.

3 The report of the Planning Director shall be submitted to the Board within 60 days after a completed
4 application is filed with the Planning Director.

5 The Board will not establish a preserve, or add lands to an existing preserve, until it has received the report
6 of the Planning Director or until the time within which the Planning Director has to report has elapsed.

7 Section 205. Hearing and Notice for Establishment or Enlargement.

8 Following the receipt of the report from the Planning Director, or the elapse of the time within which the
9 report should have been received, the Clerk of the Board shall set the date and time for public hearing on
10 the application.

11 Notice of the hearing shall be published pursuant to Section 6061 of the Government Code and shall include
12 a legal description, or the assessor's parcel number, of the land which is proposed to be included within the
13 preserve.

14 Written notice, at least two weeks before the hearing, shall be given to the Local Agency Formation
15 Commission and to every city within one mile of the exterior boundaries of the preserve. Written notice
16 shall also be sent to the applicant, the applicant's designated representative, to every owner of land to be
17 included within the preserve, to the Agricultural Commissioner, the U.S.D.A. Soil Conservation Service,
18 the University of California – Cooperative Extension County of Riverside, and the County Assessor.

19 Section 206. Decision of the Board to Establish or Enlarge a Preserve.

20 Following the close of the public hearing, the Board shall render its decision.

21 (1) A decision to establish or enlarge an agricultural preserve shall be a tentative approval. The Planning
22 Department shall give notice to all owners of real property within the proposed preserve that they
23 have 90 days after the date of the Board's tentative approval to file all executed Contracts with the
24 Planning Department. The final approval establishing or enlarging a preserve shall be approved by
25 Board resolution. If Contracts are not executed or returned within 90 days after the Board's tentative
26 approval, the matter shall be returned to the Board agenda for further decision by the Board.

27 (2) A decision to deny the establishment or enlargement of an agricultural preserve shall be final at the
28 time of initial decision and shall be by minute order of the Board.

1 Section 207. Findings for the Establishment of a Preserve

2 (1) The land is engaged in an agricultural use, a compatible use, an open space use, a recreational use,
3 a combination of any of the aforementioned uses, or any other use delineated in the Land
4 Conservation Act of 1965.

5 (2) The land does not completely surround land devoted to an agricultural use or compatible use which
6 is omitted from the preserve.

7 (3) The land contains at least 100 acres of contiguous parcels of land; however, in order to meet this
8 requirement, two or more parcels may be combined if they are contiguous or they are in common
9 ownership.

10 (4) The preserve is consistent with the General Plan.

11 (5) The land has agricultural zoning as defined in Ordinance No. 348 or for which the applicant has
12 filed a request for a change of zone to such zoning. If a request for a change of zone is necessary, a
13 finding shall be made that it was filed and processed concurrently with the agricultural preserve
14 application and that an environmental assessment was prepared for the change of zone request.

15 Section 208. Findings for the Enlargement of a Preserve.

16 (1) The same findings shall be made as for the establishment of a Preserve, plus a finding shall be made
17 that the enlargement consists of no less than 10 acres contiguous to the existing Preserve.

18 DIVISION III

19 LAND CONSERVATION CONTRACTS

20 Section 301. Lands Eligible for Contracts.

21 Only those lands designated by the County as agricultural preserves, and located within an approved or
22 tentatively approved agricultural preserve and devoted to agricultural uses, are eligible to be the subject of
23 a Land Conservation Contract between the County and the landowner.

24 Section 302. Request for Entry into Contract.

25 Any owner of land located within an approved or tentatively approved preserve may request to enter into a
26 Contract with the County of Riverside on forms provided by the Planning Department. A filing fee as set
27 forth in Section 706 of these Rules shall accompany the filing of the application. The application shall state
28 whether or not the land is presently devoted to an agricultural use and, if so, what that use is.

1 Section 303. Form of Contract and Conditions.

2 The conditions of the Contract shall be similar for all preserves and shall be on forms supplied by the County
3 and adopted by the Board of Supervisors. However, there may be differences within the Contracts for
4 preserves so long as such differences are related to differences in location and characteristics of the land
5 and comply with these Rules and the requirements of the Williamson Act.

6 Section 304. Dividing Land Under Contract.

7 Whenever land under Contract is divided, the owner of any parcel may exercise, independent of any other
8 owner of a portion of the divided land, any of the rights of the owner in the original Contract, including the
9 right to give notice of nonrenewal and to petition for cancellation. The effect of any such action by the
10 owner of a parcel created by the division of land under Contract shall not be imputed to the owners of the
11 remaining parcels and shall have no effect on the Contract as it applies to the remaining parcels of the
12 divided land.

13 Section 305. Report to Board.

14 Prior to the Contract being signed by the Board, the Planning Director shall report to the Board on whether
15 or not the land is eligible to be the subject of a Land Conservation Contract.

16 Section 306. Notice of Intent to Contract.

17 The Clerk of the Board of Supervisors shall give written notice to any city within the County of its intention
18 to consider a Contract which includes land within one mile of the exterior boundaries of that city. Such
19 notice shall be given at least 30 days prior to the time the Board of Supervisors intends to consider the
20 execution of such a Contract.

21 Section 307. Findings for Land Conservation Contracts.

- 22 (1) The Contract provides for the exclusion of uses other than agricultural, and those uses compatible
23 with agricultural uses, for the duration of the Contract.
- 24 (2) The Contract is binding upon, and inure to the benefit of, all successors in interest of the owner.
- 25 (3) The Contract is for an initial term of no less than 10 years.
- 26 (4) The Contract provides that, on the anniversary date of the Contract or such other annual date as
27 specified by the Contract, a year shall be added automatically to the initial term unless notice of
28 nonrenewal is given as provided by Section 401 of these Rules.

1 Section 308. Recording of Land Conservation Contract.

2 No later than 20 days after the County enters into a Contract with a landowner pursuant to these Rules, the
3 Clerk of the Board of Supervisors shall record with the County Recorder a copy of the Contract, which shall
4 describe the land subject thereto, together with a reference to the map showing the location of the
5 agricultural preserve in which the property lies. From and after the time of such recordation, such Contract
6 shall impart such notice thereof to all persons as is afforded by the recording laws of the State of California.

7 DIVISION IV

8 NOTICE OF NONRENEWAL

9 Section 401. Notice of Nonrenewal.

10 If either the landowner or the County desires in any year not to renew the Contract, that party shall serve
11 written notice of nonrenewal of the Contract upon the other party in advance of the annual renewal date of
12 the Contract. Unless such written notice is served by the landowner at least 90 days prior to the renewal
13 date or by the County at least 60 days prior to the renewal date, the Contract shall be considered renewed
14 as provided in Section 306 of these Rules. Upon receipt by the owner of a notice from the County of
15 nonrenewal, the owner may make a written protest of the notice of nonrenewal. The County may, at any
16 time prior to the renewal date, withdraw the notice of nonrenewal. Unless authorized by the Board to serve
17 a notice of nonrenewal on a portion of the owner's land within an individual agricultural preserve, the notice
18 of nonrenewal shall be for nonrenewal of the Contract for all of the owner's land within an individual
19 preserve.

20 Section 402. Notice of Nonrenewal on a Portion of an Owner's Land within an Agricultural Preserve.

21 Upon request by the owner, the Board may authorize the owner to serve a notice of nonrenewal on a portion
22 of the land under a Contract.

23 Section 403. Form for Notice of Nonrenewal.

24 A notice of nonrenewal by the owner shall be submitted on forms provided by the Planning Department.
25 When the landowner is a successor in the interest to the owner who executed the Contract, the notice of
26 nonrenewal shall be accompanied by proof of ownership, such as a copy of the deed. The notice of
27 nonrenewal shall be submitted accompanied by the filing fee set forth in Section 706 of these Rules.

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1 Section 404. Term Following Notice of Nonrenewal.

2 If the County or the landowner serves notice of intent in any year not to renew the Contract, the existing
3 Contract shall remain in effect for the balance of the period remaining since the original execution or the
4 last renewal of the Contract, as the case may be.

5 DIVISION V

6 DISESTABLISHMENT AND DIMINISHMENT OF AGRICULTURAL PRESERVES AND
7 CANCELLATION OF CONTRACTS

8 Section 501. Disestablishment or Diminishment of Agricultural Preserve.

9 Any landowner or group of landowners may initiate an application to terminate or diminish the size of a
10 preserve.

11 Section 502. Land Ineligible for Removal from Preserve.

12 No land for which a Land Conservation Contract has been executed shall be removed from an agricultural
13 preserve unless the Contract for the land is also cancelled.

14 Section 503. Contents of Application for Disestablishments or Diminishments.

15 The Planning Department shall provide forms on which applications for disestablishments or diminishments
16 are to be made. An application, to be complete, must contain the following information:

- 17 (1) The applicant's name, address, and telephone number. If the applicant has a representative, the
18 name, address and telephone number of the representative.
- 19 (2) A statement setting forth whether the basis of the application is for the disestablishment or the
20 diminishment of an agricultural preserve.
- 21 (3) The name and map number of the affected agricultural preserve.
- 22 (4) A legal description of the exterior boundaries of the affected property.
- 23 (5) The names and addresses of the owners of the land involved in this application.
- 24 (6) The acreages and assessment numbers of the land involved in the application.
- 25 (7) A statement as to whether a notice of nonrenewal has been served on the land involved in the
26 application and the date of the notice of nonrenewal.

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28 ///

1 (8) When the landowner is a successor in interest to the owner who executed the Contract with the
2 County, the application for disestablishment or diminishment shall be accompanied by proof of
3 ownership, such as a copy of the deed.

4 (9) A Petition for Cancellation of Contract.

5 (10) A map of the land affected by the application showing the properties belonging to the separate
6 ownerships.

7 (11) A non-refundable fee as set forth in Section 706 of these Rules for the application.

8 (12) An Environmental Assessment Form and any additional filing fees as may be appropriate.

9 Section 504. Petition for Cancellation of Contract.

10 The Petition for Cancellation of Contract is a petition of an owner to the Board for cancellation of any
11 Contract as to all or part of the subject land, which shall be filed with the application for disestablishment
12 or diminishment of an agricultural preserve. A petition for cancellation, to be complete, must contain the
13 following information:

14 (1) A statement requesting the Board to cancel the Land Conservation Contract, listing the preserve
15 name, map number, and the instrument number of the Contract and the date it was recorded and
16 signed by the owner or one of the owners authorized to act on behalf of all the owners of the subject
17 land. In the case of one owner authorized to act on behalf of all the owners, a copy of that
18 authorization shall be attached to the petition for cancellation.

19 (2) The names and addresses of all record owners of the property proposed for deletion from Land
20 Conservation Contracts, including the names and addresses of all persons holding a mortgage or
21 beneficial interest in the property.

22 (3) A complete legal description of the boundaries of the petitioner's property as shown in the deed or
23 title insurance policy.

24 (4) A statement outlining the proposed alternative land use for this property.

25 (5) Any written evidence establishing the lack of proximate noncontracted property which is both
26 available and suitable for the proposed alternative land use.

27 (6) Required property owners' notification information.

28

1 (7) A petition for cancellation that does not contain the above information shall be returned by the
2 Planning Director along with the application as being incomplete.

3 Section 505. Proposed Alternative Land Use.

4 The landowner's petition for cancellation shall be accompanied by a proposal for a specified alternative use
5 of the land. The proposal shall be accompanied by all required applications for these alternative uses and
6 applicable fees. Forms for these alternative uses of land shall be provided by the Planning Department.

7 A petition for cancellation not accompanied by applications for the proposed alternative uses of land and
8 applicable fees shall be returned by the Planning Director along with the application as being incomplete.

9 Section 506. Report of the Planning Director.

10 After the filing of a completed application, attached petition for cancellation, and applications for proposed
11 alternative uses of land, the Planning Director shall prepare a report on the application for the Board. The
12 report shall contain the following:

13 (1) The report of the CAPTAC.

14 (2) A statement as to whether or not the application is consistent with the General Plan.

15 (3) A recommended motion regarding the application to disestablish or diminish the agricultural
16 preserve.

17 (4) A legal description of the exterior boundaries of the land to be removed from a Land Conservation
18 Contract.

19 (5) A map showing the location and boundaries of the land to be removed from a Land Conservation
20 Contract.

21 The report of the Planning Director shall be submitted to the Board in conjunction with the proposed
22 alternative uses of land. The Board will not terminate or remove land from a preserve until it has received
23 the report of the Planning Director.

24 Section 507. Hearing and Notice for Disestablishment or Diminishment.

25 Following the receipt of the report from the Planning Director, the Clerk of the Board shall set the date and
26 time for public hearing on the application.

27

28

1 Notice of the proposed disestablishment or diminishment and proposed cancellation of a Contract shall be
2 furnished by the Board to the affected Contract landowner(s) by certified mail directed to him/her at the
3 last known address to the Board.

4 Written notice of the proposal to disestablish or alter the boundary and date of the hearing shall be furnished
5 to the owner of the land by certified mail at his/her latest address. Notice shall also be published pursuant
6 to Section 6061 of the Government Code and shall be furnished by first-class mail to each owner of land
7 under Contract, any portion of which is situated within one mile of the exterior boundary of the land to be
8 removed from the preserve. In addition, written notice shall be given to the Local Agency Formation
9 Commission, to every city within the County within one mile of the exterior boundaries of the preserve, to
10 the Director of the Department of Conservation, to the Director of the Department of Food and Agriculture,
11 to the Agricultural Commissioner, the U.S.D.A. Soil Conservation Service, the University of California –
12 Cooperative Extension County of Riverside, and the County Assessor.

13 Section 508. Findings for Cancellation of a Contract.

14 The Board may grant tentative approval for cancellation of a Contract only if it makes one of the following
15 findings:

- 16 (1) That the cancellation is consistent with the purposes of the Land Conservation Act of 1965; or
- 17 (2) That cancellation is in the public interest.

18 For the purposes of this section, the uneconomic character of an existing agricultural use shall not by itself
19 be sufficient reason for cancellation of the Contract. The uneconomic character of an existing use may be
20 considered only if there is no other reasonable or comparable agricultural use to which the land may be put.

21 Section 509. Findings for Cancellation Being Consistent with the Land Conservation Act of 1965.

22 For purposes of finding (1) of Section 508 of these Rules, cancellation of a Contract shall be consistent with
23 the purposes of the Land Conservation Act of 1965 only if the Board makes all of the following findings:

- 24 (1) That the cancellation is for land on which a notice of nonrenewal has been served pursuant to Section
25 401 of these Rules and Government Code section 51245.
- 26 (2) That cancellation is not likely to result in the removal of adjacent lands from agricultural use.
- 27 (3) That cancellation is for an alternative use which is consistent with the applicable provisions of the
28 County General Plan.

1 (4) That cancellation will not result in discontinuous patterns of urban development.

2 (5) That there is no proximate noncontracted land which is both available and suitable for the use to
3 which it is proposed the contracted land be put, or that development of the contracted land would
4 provide more contiguous patterns of urban development than development of proximate
5 noncontracted land.

6 Section 510. Findings for Cancellation Being in the Public Interest.

7 For purposes of finding (2) of Section 508 of these Rules, cancellation of a Contract shall be in the public
8 interest only if the Board makes the following findings:

9 (1) That other public concerns substantially outweigh the objectives of the Land Conservation Act of
10 1965; and

11 (2) That there is no proximate noncontracted land which is both available and suitable for the use to
12 which it is proposed the contracted land be put, or that development of the contracted land would
13 provide more contiguous patterns of urban development than development of proximate
14 noncontracted land.

15 Section 511. Certificate of Tentative Cancellation.

16 (1) Upon tentative approval of a petition accompanied by a proposal for a specified alternative use of
17 the land, the Clerk of the Board shall record in the Office of the County Recorder a certificate of
18 tentative cancellation, which shall set forth the name of the landowner requesting the cancellation,
19 the fact that a certificate of cancellation of Contract will be issued and recorded at such time as
20 specified conditions and contingencies are satisfied, a description of the conditions and
21 contingencies which must be satisfied, and a legal description of the property. Conditions to be
22 satisfied shall include payment in full of the amount of the fee computed under the provisions of
23 Sections 514 and 515 of these Rules, together with a statement that, unless the fee is paid, or a
24 certificate of cancellation of Contract is issued within one year from the date of the recording of the
25 certificate of tentative cancellation, such fee shall be recomputed as of the date of notice described
26 in paragraph (2) of this section. Any provisions related to the waiver of such fee or portion thereof
27 shall be treated in the manner provided for in the certificate of tentative cancellation. Contingencies
28 to be satisfied shall include a requirement that the landowner obtain all permits necessary to

1 commence the project. The Board may, at the request of the landowner, amend a tentatively
2 approved specified alternative use if it finds that such amendment is consistent with the findings
3 made pursuant to Section 508 of the Rules.

4 (2) The landowner shall notify the Board when the conditions and contingencies enumerated in the
5 certificate of tentative cancellation have been satisfied. Within 30 days of receipt of such notice, and
6 upon a determination that the conditions and contingencies have been satisfied, the Board shall
7 execute a certificate of final cancellation of Contract and cause the same to be recorded.

8 (3) If the landowner has been unable to satisfy the conditions and contingencies enumerated in the
9 certificate of tentative cancellation, the landowner shall notify the Board of the particular conditions
10 or contingencies the landowner is unable to satisfy. Within 30 days of receipt of such notice, and
11 upon a determination that the landowner is unable to satisfy the conditions and contingencies listed,
12 the Board shall execute a certificate of withdrawal of tentative approval of a cancellation of Contract
13 and cause the same to be recorded. However, the landowner shall not be entitled to the refund of any
14 cancellation fee paid.

15 Section 512. Findings for Diminishment or Disestablishment.

16 (1) The Contract has been cancelled or expired for the area requesting diminishment or disestablishment
17 of the preserve.

18 (2) The diminishment or disestablishment is in the interest of the public and the State.

19 (3) The diminishment or disestablishment is for an alternative use that is consistent with the General
20 Plan and Ordinance No. 348, including Article II.

21 (4) The identified alternative use is compatible with the surrounding area.

22 Section 513. Decision of the Board for Disestablishment.

23 Following the close of the public hearing, the Board shall render its decision. A decision to diminish or
24 terminate an agricultural preserve shall be made as follows:

25 (1) If none of the land is subject to an executed Land Conservation Contract, the decision shall be final
26 upon the adoption of a resolution by the Board.

27 (2) If some or all of the land is subject to an executed Contract, the tentative approval of the
28 disestablishment or diminishment shall be by minute order and the matter shall be referred back to

1 the Planning Department for the preparation of the Certificate of Tentative Cancellation in
2 accordance with the provisions of Section 511 of these Rules for adoption by the Board, or for
3 preparation of a Certificate of Final Cancellation for adoption by the Board if all conditions of
4 approval have been completed by the applicant. Adoption of the Certificate of Tentative
5 Cancellation or the Certificate of Final Cancellation shall be by resolution.

6 Section 514. Cancellation Fee.

7 (1) Prior to any action by the Board giving tentative approval to the cancellation of any Contract, the
8 County Assessor shall determine the current fair market value of the land as though it were free of
9 the contractual restriction. The Assessor shall certify to the Board the cancellation valuation of the
10 land for the purpose of determining the cancellation fee.

11 (2) Prior to giving tentative approval to the cancellation of any Contract, the Board shall determine and
12 certify to the County Auditor the amount of the cancellation fee which the landowner must pay the
13 County Treasurer as deferred taxes upon cancellation. That fee shall be an amount equal to 12 ½
14 percent of the cancellation valuation of the property.

15 (3) If they find that it is in the public interest to do so, the Board may waive any such payment or any
16 portion thereof, or may extend the time for making such payment or a portion thereof contingent
17 upon the future use made of the land and its economic return to the landowner for a period of time
18 not to exceed the unexpired period of the Contract, had it not been canceled, provided the
19 requirements set forth in Government Code section 51283 are met.

20 Deferred taxes collected under the provisions of this section shall be transmitted by the County Treasurer
21 to the State Controller in accordance with the requirements of Government Code section 51283(d).

22 Section 515. Additional Deferred Taxes.

23 In addition to the fee provided for in Section 514 of these Rules, the Board shall require the payment of
24 additional deferred taxes, determined according to the provisions of Government Code section 51283.1.

25 The additional deferred taxes shall be collected in the same manner and at the same time as the cancellation
26 fee provided for in Section 514 of these Rules.

1 DIVISION VI

2 COMPREHENSIVE AGRICULTURAL PRESERVE

3 TECHNICAL ADVISORY COMMITTEE

4 Section 601. Function of the Committee.

5 The function of the CAPTAC is to review and prepare a report on applications involving agricultural
6 preserves, and to advise the Board on the administration of the agricultural preserves in the County and on
7 any matters relating to Contracts entered into pursuant to these Rules.

8 Section 602. Composition of the Committee.

9 The CAPTAC shall be composed of the members of the Planning Commission. The Chair of the Planning
10 Commission shall act as Chair of the CAPTAC. The Office of County Counsel shall provide legal advice
11 to the CAPTAC upon request.

12 Section 603. Transmittal of Documents.

13 Upon filing of an application involving an agricultural preserve, the Planning Director shall prepare and
14 transmit to each member of the CAPTAC a copy of the application and any accompanying owner petitions,
15 a vicinity map, and a proposed boundary map.

16 Section 604. Meetings.

17 The CAPTAC shall meet at the call of the Planning Director.

18 Section 605. Contents of Report.

19 The report of the CAPTAC shall be prepared by the Planning Director and shall contain:

- 20 (1) A statement as to whether or not the CAPTAC recommends approval of the application and the
21 reasons for said recommendation.
- 22 (2) Any recommendation for modification of the application.
- 23 (3) If the application submitted is to establish a preserve or to add lands to an existing preserve, the
24 report shall also include the CAPTAC's factual findings as to the following:
- 25 (a) Present zoning of lands proposed to be included in the preserve and surrounding land.
- 26 (b) Present land use of land proposed to be included in the preserve and surrounding properties.
- 27 (c) Whether or not the land proposed to be included in the preserve is presently employed in an
28 agricultural use and, if so, the agricultural commodities grown thereon.

- 1 (d) The agricultural commodities that may be grown on the property proposed to be included in the
2 preserve taking into consideration the said type, water availability and other conditions that may
3 affect the growing of crops.
- 4 (e) Whether or not the existing or proposed agricultural use of the land constitutes or could
5 constitute a nuisance, public or private, to the surrounding lands.
- 6 (f) The current assessed valuation and the estimated reduction in assessed valuation if the real
7 property proposed to be included in the preserve enters into a Land Conservation Contract.
- 8 (g) A list of any cities that are within one mile of the proposed boundaries of the preserve, and any
9 comments expressed by such a city on the application.
- 10 (h) The existence of any historic or scenic value to the lands proposed to be included in the preserve.
- 11 (i) The acreages of each land owner included in the application and the total acreage.
- 12 (4) If the application submitted is to disestablish a preserve or to delete lands from a preserve, the report
13 shall also include the CAPTAC's findings and conclusions as to the following:
- 14 (a) Whether a notice of nonrenewal has been served pursuant to the Williamson Act and Section
15 401 of these Rules.
- 16 (b) Whether the cancellation is likely to result in the removal of adjacent lands from agricultural
17 use.
- 18 (c) Whether the proposed alternative use of land is consistent with the provisions of the County
19 General Plan.
- 20 (d) Whether the cancellation will result in discontinuous patterns of urban development.
- 21 (e) Whether there is proximate noncontracted land which is both available and suitable for the use
22 to which it is proposed the contracted land be put, or, whether the development of the contracted
23 land would provide more contiguous patterns of urban development than development of
24 proximate noncontracted land.
- 25 (5) Any public comments received on the application.
- 26
- 27
- 28

1 DIVISION VII

2 MISCELLANEOUS PROVISIONS

3 Section 701. Filing of Map and Resolution.

4 Whenever an agricultural preserve is established, and so long as it shall be in effect, a map of such
5 agricultural preserve and the resolution under which the preserve was established shall be filed and kept
6 current with the County Recorder.

7 Section 702. Filing of Map with State Director of Food and Agriculture.

8 On or before the first day of September of each year, the Planning Director shall file with the State Director
9 of Food and Agriculture a map of the County designating thereon all agricultural preserves in existence at
10 the end of the preceding fiscal year.

11 Section 703. Rescission of Contract and Simultaneous Entry into New Contract.

12 Notwithstanding any other provision of these Rules, the parties may by their mutual agreement rescind a
13 Contract in order simultaneously to enter into a new Contract pursuant to these Rules which new Contract
14 would enforceably restrict the same property for an initial term at least as long as the unexpired term of the
15 Contract being so rescinded but not less than 10 years. Such action may be taken notwithstanding the prior
16 serving of a notice of nonrenewal relative to the former Contract.

17 Section 704. Minimum Lot Sizes Within Agricultural Preserves.

18 Whenever a division of land is proposed within an agricultural preserve, the total number of lots shall be
19 determined pursuant to the General Plan for Riverside County and any applicable zoning classification,
20 whichever is more restrictive. In any event, no parcel shall be created that is below the minimum size of 10
21 acres.

22 Section 705. Filing Period for Agricultural Preserves.

23 No application to establish, terminate, enlarge or diminish an agricultural preserve shall be received on or
24 after November 1 of any year until March 1 of the following year.

25 Section 706. Fees.

26 The fee for an application to create a preserve or add lands to a preserve shall be \$400 plus \$40 for each
27 Owner's Petition filed with the application. There will also be a \$25 Contract fee if the application is
28 approved. The fee for an application to terminate or remove lands from a preserve shall be \$400. The

1 appropriate fee shall accompany the application and is not refundable. There shall be no fee for an
2 application initiated by the Board of Supervisors, provided, however, that the \$40 fee for each Owner's
3 Petition shall be payable with the Contract fee when the property is proposed to be placed under a Land
4 Conservation Contract. The fee for a Notice of Nonrenewal shall be \$25.

5 Section 707. Effective Date.

6 These Rules and Regulations shall apply to all applications filed on or after March 1, 1985. All applications
7 filed prior to that date, and not finally acted upon by that date, shall not be finally determined until the
8 information required by these amended Rules and Regulations have been supplied.

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2
3 RESOLUTION NO. 2026-016

4 AMENDING THE RULES AND REGULATIONS
5 GOVERNING AGRICULTURAL PRESERVES
6 IN RIVERSIDE COUNTY

7 ROLL CALL:

8 Ayes: Medina, Spiegel, Washington, Perez, and Gutierrez

9 Nays: None

10 Absent: None

11 Abstain: None

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

15
16
17 KIMBERLY A. RECTOR, Clerk of said Board

18
19 By: _____

20 Deputy

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cgonzales@scng.com

County of Riverside - Clerk of the Board
PO Box 1147
Riverside, California 92502

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Amount Due: \$761.97
Notice ID: jFEQAQTJf8KMnSjRWwW3
Invoice Text: NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON AN AMENDMENT TO RESOLUTION NO. 84-526 IN ALL SUPERVISORIAL DISTRICTS 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, February 3, 2026 at 9:30 A.M. or as soon as possible thereafter, to consider the Planning Commission's recommendation to approve amendment to Resolution No. 84-526 (AGRICULTURAL PRESERVES AND CAPTAC). Conduct a public hearing and recommend approval of a Resolution amending the Rules and Regulations Governing Agricultural Preserves in Riverside County attached to Resolution No. 84-526 that forms the Comprehensive Agricultural Preserve Technical Advisory Committee (CAPTAC) hearing body. Amendments include a change in the hearing body formation from the current makeup to the Planning Commission, establishing Agricultural Preserve entitlement findings, and general provision cleanups to become consistent with State law. The Riverside County Planning Department and the Planning Commission recommend that the Board of Supervisors to AMEND Resolution No. 84-526 and ADOPT Resolution No. 2026-016. On December 17, 2025, the Planning Commission recommended approval of the project as stated to the Board of Supervisors on a vote of 4-0. The Planning Department meeting documents for the proposed project may be viewed online under the Planning Commission hearing date on the Public Hearing page of the Planning Department

Planning
2/10/2026
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Publication: The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc: 0011773224

FILE NO. 0011773224

PROOF OF PUBLICATION

I am a citizen of the United States. I am over the age of eighteen years and not party to or interested in the above-entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper of 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:

01/11/2026

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

Date: January 11, 2026.

At: Riverside, California



Signature

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON AN AMENDMENT TO RESOLUTION NO. 84-526 IN ALL SUPERVISORIAL DISTRICTS

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The Riverside County Planning Department and the Planning Commission recommend that the Board of Supervisors to **AMEND Resolution No. 84-526 and ADOPT Resolution No. 2026-016.**

On December 17, 2025, the Planning Commission recommended approval of the project as stated to the Board of Supervisors on a vote of 4-0. The Planning Department meeting documents for the proposed project may be viewed online under the Planning Commission hearing date on the Public Hearing page of the Planning Department website: <https://planning.rctlma.org/Public-Hearings>.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT JOHN HILDEBRAND, PROJECT PLANNER, AT (951) 955-3200 OR EMAIL PLANNING@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.

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@rlvco.org.

Dated: January 8, 2026
Kimberly A. Rector, Clerk of the Board
By: Naomi Sicra, Clerk of the Board Assistan
The Press-Enterprise
Published: 1/11/26

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AFFIDAVIT OF PUBLICATION

Naomy Sicra
Riverside County-Board Of Sup.
4080 Lemon ST # 127
Riverside CA 92501-3609

STATE OF WISCONSIN, COUNTY OF BROWN

The Desert Sun, a newspaper published in the city of Palm Springs, Riverside County, State of California, and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issue:

PDS desertsun.com 01/11/2026
PDS Palm Springs Desert Sun 01/11/2026

and that the fees charged are legal.
Sworn to and subscribed before on 01/11/2026

Legal Clerk

Notary, State of WI, County of Brown

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Please do not use this form for payment remittance.

VICKY FELTY
Notary Public
State of Wisconsin

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON AN AMENDMENT TO RESOLUTION NO. 84-526 IN ALL SUPERVISORIAL DISTRICTS

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FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT JOHN HILDEBRAND, PROJECT PLANNER, AT (951) 955-3200 OR EMAIL PLANNING@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.

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: January 8, 2026 Kimberly A. Rector, Clerk of the Board

By: Naomy Sicra, Clerk of the Board Assistant
January 11, 2026 11988736

Planning
2/03/2026
23.1

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



ITEM: 3.79
(ID # 25713)

MEETING DATE:
Tuesday, August 27, 2024

FROM : TLMA-PLANNING

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/PLANNING: Initiation of an amendment to Ordinance No. 509 (Agricultural Preserves) and Resolution No. 84-526 (Amending the Rules and Regulations Governing Agricultural Preserves in Riverside County) to update the rules and procedures related to the formation and operations of the Comprehensive Agricultural Preserve Technical Advisory Committee (CAPTAC), incorporate any new changes from the Williamson Act within local law, and generally update the procedures related to agricultural preserves, pursuant to Government Code section 51200 et seq. All Districts. [\$25,000 Total Cost – Department Budget 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. **ADOPT** an order initiating an amendment to Ordinance No. 509 (Agricultural Preserves) and Resolution No. 84-526 (Amending the Rules and Regulations Governing Agricultural Preserves in Riverside County) to amend the rules and procedures related to the formation and operations of the Comprehensive Agricultural Preserve Technical Advisory Committee (CAPTAC), incorporate any new changes from the Williamson Act within local law, and generally update the procedures related to agricultural preserves; and
2. **DIRECT** the Planning Department and County Counsel to prepare and process the amendment to Ordinance No. 509 and Resolution No. 84-526.

ACTION:Policy


John Hildebrand, Planning Director 8/29/2024

MINUTES OF THE BOARD OF SUPERVISORS

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$25,000	\$0	\$25,000	\$0
NET COUNTY COST	\$25,000	\$0	\$25,000	\$0
SOURCE OF FUNDS: Department Budget 100%			Budget Adjustment: No	
			For Fiscal Year: 24/25	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

This is an initiation to amend Ordinance No. 509 (Agricultural Preserves) and Resolution No. 84-526 (Amending the Rules and Regulations Governing Agricultural Preserves in Riverside County) to update the rules and procedures related to the formation and operations of the Comprehensive Agricultural Preserve Technical Advisory Committee (CAPTAC), incorporate any new changes from the Williamson Act within local law, and generally update the procedures related to agricultural preserves. The existing procedures related to the creation, diminishment, and disestablishment of agricultural preserves were adopted by Resolution No. 84-526 on November 6, 1984. Prior to a hearing before the Board of Supervisors on the creation, diminishment, or disestablishment of an agricultural preserve, the County is required to have CAPTAC review and prepare a report on each application. The CAPTAC members are currently made up of the Planning Department, Agricultural Commissioner, USDA Soil Conservation Service, UCR Cooperative Extension, County Assessor, and County Open Space Resources Committee (which is no longer in existence). Additionally, Ordinance No. 509 (Agricultural Preserves), adopted on November 28, 1966, along with two (2) subsequent amendments, further defines the types of land uses which are deemed compatible with agricultural preserves and their operations throughout Riverside County. This amendment process includes rescission of Resolution No. 84-526, and amendment of Ordinance No. 509, to update current rules and regulations, pursuant to the California Land Conservation Act, specifically Government Code section 51200 et seq.

Initiation Process

The Board of Supervisors Policy No. A-67 requires initiation of all ordinance amendments by the Board of Supervisors with the adoption of an order by an affirmative majority vote. If initiated, the proposed amendment will begin the land use review process which includes applicable environmental analysis, community outreach, and public hearings.

Impact on Residents and Businesses

The proposed ordinance amendment would result in modifications to the rules and regulations governing the Comprehensive Agricultural Preserve Technical Advisory Committee (CAPTAC) meetings, pursuant to current State law. Impacts to residents and businesses will be negligible.


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

Additional Fiscal Information


The total cost to complete this ordinance amendment is approximately \$25,000, which is funded through NCC budget allocation. The planning process for this Project will commence upon initiation approval and will be completed this year. The above costs include funds that will be spent on drafting the ordinance amendment, environmental considerations, noticing, and public hearings.

EXHIBITS:

- A. Resolution No. 84-526 (Rules and Regulations Governing Agricultural Preserves)
- B. Ordinance No. 509 (Agricultural Preserves)



Jason Farin, Principal Management Analyst 8/21/2024



Aaron Gettis, Chief of Deputy County Counsel 8/19/2024



**COUNTY OF RIVERSIDE
PLANNING DEPARTMENT
STAFF REPORT**

Agenda Item No.

3.4

(ID # 29332)

MEETING DATE:

Wednesday, December 17, 2025

SUBJECT: AMENDMENT TO RULES AND REGULATIONS GOVERNING AG PRESERVES IN RESOLUTION NO. 84-526 (AGRICULTURAL PRESERVES AND CAPTAC) – Exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3) (Commonsense Exemption) – Applicant: County of Riverside – All Supervisorial Districts – REQUEST: Conduct a public hearing and recommend approval of a Resolution amending the Rules and Regulations Governing Agricultural Preserves in Riverside County attached to Resolution No. 84-526 that forms the Comprehensive Agricultural Preserve Technical Advisory Committee (CAPTAC) hearing body. Amendments include a change in the hearing body formation from the current makeup to the Planning Commission, establishing Agricultural Preserve entitlement findings, and general provision cleanups to become consistent with State law – Project Planner: John Hildebrand at (951) 955-3200, or email at planning@rivco.org.

PROPOSED PROJECT

Case Number(s):	Resolution No. 84-526
Environmental Type:	Exemption
Area Plan No.	N/A
Zoning Area/District:	N/A
Supervisorial District:	All Districts
Project Planner:	John Hildebrand
Project APN(s):	N/A
Continued From:	



John Hildebrand, Planning Director 12/8/2025

PROJECT DESCRIPTION AND LOCATION

Conduct a public hearing to consider amendments to the Rules and Regulations Governing Agricultural Preserves in Riverside County attached to Resolution No. 84-526 that forms the Comprehensive Agricultural Preserve Technical Advisory Committee (CAPTAC) hearing body.

Amendments include a change in the hearing body formation from the current makeup to the Planning Commission, establishing Agricultural Preserve entitlement findings, and general provision cleanups to become consistent with State law.

The related Ordinance No. 509 (Agricultural Preserves) will be reviewed in the future for possible amendments and general cleanup to the allowed uses within an established

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
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agricultural preserve. No amendments to Ordinance No. 509 (Agricultural Preserves) are proposed at this time.

PROJECT RECOMMENDATION

STAFF RECOMMENDATIONS:

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

FIND that the project is **EXEMPT** from the California Environmental Quality Act (CEQA), pursuant to Sections 15061(b)(3) (Commonsense Exemptions); and,

ADOPT BOARD OF SUPERVISORS RESOLUTION NO. 2025-XXX to replace and supersede Resolution No. 84-526, which amends the Rules and Regulations Governing Agricultural Preserves in Riverside County, based upon the findings and conclusions provided in this staff report.

PROJECT BACKGROUND AND ANALYSIS

Background:

Resolution No. 84-526's attached Rules and Regulations Governing Agricultural Preserves in Riverside County (Rules and Regulations) is the guiding document that sets forth the rules for administration of the County's agricultural preserves. It provides for the formation of the Comprehensive Agricultural Preserve Technical Advisory Committee (CAPTAC), which is the hearing body that makes decisions related to the establishment, disestablishment, diminishment, and enlargement of agricultural preserves within the unincorporated areas of Riverside County. The Resolution and attached Rules and Regulations are dated December 18, 1984, and as such, has become outdated and inconsistent with newer State law changes related to agricultural preserves. Furthermore, formation of the CAPTAC hearing body has become increasingly challenging and, oftentimes, a quorum is not obtained. The Rules and Regulations currently state that members of CAPTAC shall include representatives from the following organizations:

- 1) Agricultural Commissioner
- 2) U.S.D.A Soil Conservation Service
- 3) University of California – Cooperative Extension, County of Riverside
- 4) County Assessor

A proposed change to the Rules and Regulations will amend the CAPTAC formation, transferring approving authority to the Riverside County Planning Commission. In addition to this change, there are general cleanup provision updates and minor additions to reflect State

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law changes, such as hearing notices and definitions, and correcting typographic errors and updating administrative practices to reflect actual practice. Further changes include a reorganization coupled with additions to explicitly state findings, related to each of the agricultural preserves case types: establishment, enlargement, and diminishment.

The related Ordinance No. 509 (Agricultural Preserves), contains uses that are allowed within an established agricultural preserve, which was first adopted November 28, 1966, along with two subsequent amendments on March 3, 1988, and June 16, 1988. At this time, no changes to the ordinance are proposed. However, as a phase II effort staff will be reviewing the list of uses and provide amendment suggestions and conduct community outreach.

The Board of Supervisors initiated these changes to the Rules and Regulations on August 27, 2024, directing staff to prepare the amendment and bring back to the Board for consideration.

ENVIRONMENTAL REVIEW / ENVIRONMENTAL FINDINGS

This proposed project is exempt from the California Environmental Quality Act (CEQA) review, pursuant State CEQA Guidelines Section 15061(b)(3) (Commonsense Exemptions). The project includes a reformation of a hearing body and amended language to become consistent with State law, related to agricultural preserves. There is no grading or construction associated with this project and therefore, no physical environmental impacts.

FINDINGS AND CONCLUSIONS

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

Findings and Conclusion:

1. Due to the existing complicated makeup of the Comprehensive Agricultural Preserve Technical Advisory Committee (CAPTAC), as stated in Resolution No. 84-526's attached Rules and Regulations Governing Agricultural Preserves in Riverside County, and the obligation of outside agencies to participate on the Committee, this amendment will transfer approving authority to the Riverside County Planning Commission. This will increase efficiency through the use of an existing and regularly scheduled hearing body, and ensure a quorum is obtained.
2. Resolution No. 84-526 was approved December 18, 1984 and as such, is now inconsistent with some State law provisions. The amendments to the Rules and Regulations Governing

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Agricultural Preserves in Riverside County include updated noticing requirements, explicitly stating and reorganizing the findings associated with each of the agricultural preserve case types, and general cleanup of the entire document.

3. 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, as there are no physical environmental impacts.

PUBLIC HEARING NOTIFICATION AND COMMUNITY OUTREACH

This project was advertised in the Press Enterprise and Desert Sun Newspapers. As of the writing of this report, Planning Staff has not received any written communication or phone calls either in support or opposition to the proposed project.

ATTACHMENTS

EXHIBITS:

- A. Board of Supervisors Initiation – August 27, 2024
- B. Resolution No. 84-526 (Rules and Regulations Governing Agricultural Preserves)
- C. Rules and Regulations Governing Agricultural Preserves – Redline / Strikeout Changes
- D. Rules and Regulations Governing Agricultural Preserves – Draft Clean Version

2
3 RESOLUTION NO. 84-526

4 AMENDING THE RULES AND REGULATIONS
5 GOVERNING AGRICULTURAL PRESERVES
6 IN RIVERSIDE COUNTY

7 WHEREAS, The Rules and Regulations Governing Agricultural
8 Preserves in Riverside County, as adopted by the Board of
9 Supervisors pursuant to Section 51231 of the Government Code,
10 require certain amendments; and

11 WHEREAS, a public hearing was held by the Board of
12 Supervisors on November 6, 1984, on the proposed Rules and
13 Regulations Governing Agricultural Preserves; now, therefore,

14 BE IT RESOLVED, DETERMINED AND ORDERED by the Board of
15 Supervisors of the County of Riverside, State of California, in
16 regular session assembled on December 18, 1984, that the document
17 entitled Rules and Regulations Governing Agricultural Preserves in
18 Riverside County, dated December 18, 1984, is hereby adopted,
19 pursuant to Section 51231 of the Government Code, as the rules and
20 regulations for the administration of agricultural preserves in
21 the County of Riverside.

22
23 Roll Call resulted as follows:

24 Ayes: Abraham, Dunlap, Cenicerros, Younglove and Larson

25 Noes: None.

26 Absent: None

27
28 The foregoing is a true and correct copy of a
resolution duly adopted by the Board of Super-
visors on the 18th day of December, 1984.

GEORGE J. HARRIS, Clerk of said Board
George J. Harris

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RULES AND REGULATIONS GOVERNING
AGRICULTURAL PRESERVES IN RIVERSIDE COUNTY

The following Rules and Regulations are adopted pursuant to California Government Code Section 51231 and shall govern the administration of agricultural preserves, including procedures for initiating, filing and processing requests to establish, enlarge, disestablish or diminish agricultural preserves, established in Riverside County pursuant to the California Land Conservation Act of 1965 (Government Code Sections 51200 et seq.) and Ordinance No. 509 of Riverside County. All agricultural preserves must be in conformance with these Rules and all provisions of the Williamson Act.

The Board declares that these Rules shall be construed as a continuation of the existing Rules and Regulations Governing Agricultural Preserves and not as a new enactment, except as to provisions of these Rules which are inconsistent therewith, and any application previously approved under the existing Rules and Regulations Governing Agricultural Preserves shall be deemed to comply with these Rules.

DIVISION I
GENERAL PROVISIONS

Section 101. Findings.

The County finds that these Rules are necessary for the promotion of the general welfare and the protection of the public interest in that:

1 (a) The preservation of the maximum amount of the limited supply
2 of agricultural land is necessary to the conservation of the
3 County's economic resources, and is necessary not only for
4 the maintenance of the agricultural economy of the County,
5 but also for the assurance of adequate, healthful and
6 nutritious food for future residents of the County.

7 (b) The discouragement of premature and unnecessary conversion
8 of agricultural land to urban uses is a matter of public
9 interest and will be of benefit to urban dwellers themselves
10 in that it will discourage discontinuous urban development
11 patterns which unnecessarily increase the costs of community
12 services to community residents.

13 (c) In a rapidly urbanizing society agricultural lands have a
14 definite public value as open space, and the preservation in
15 agricultural production of such lands, constitutes an
16 important physical, social, aesthetic and economic asset to
17 existing and pending urban or metropolitan developments.

18
19 Section 102. Definitions.

20 As used in these Rules, unless otherwise apparent from the
21 context:

22 (a) "Agricultural commodity" means any and all plant and animal
23 products produced in Riverside County for commercial
24 purposes.

25 (b) "Agricultural use" means use of land for the purpose of
26 producing an agricultural commodity for commercial purposes.

27 (c) "Agricultural preserve" or "preserve" means an area devoted
28 to those agricultural or other uses allowed under the

1 provisions of the Land Conservation Act of 1965, and those
2 compatible uses as designated and established by the Board
3 after notice and hearing.

4 (d) "Board" means the Board of Supervisors of Riverside County.

5 (e) "Compatible use" is any use so defined in Ordinance No. 509
6 of Riverside County.

7 (f) "Contract" means a Land Conservation Contract executed
8 between the County and the landowner in accordance with these
9 Rules.

10 (g) "County" means the County of Riverside, State of California.

11 (h) "Land Conservation Act of 1965" means those provisions of
12 the California Government Code commencing with Section 51200
13 which pertain to agricultural land and which is also known as
14 The Williamson Act.

15 (i) "Proximate, noncontracted land" means land not restricted by
16 contract pursuant to these Rules, which is sufficiently close
17 to land which is so restricted that it can serve as a
18 practical alternative for the use which is proposed for the
19 restricted land.

20 (j) "Rules" means these "Rules and Regulations Governing
21 Agricultural Preserves in Riverside County."

22 (k) "Suitable" for the proposed use as used in Sections 510 and
23 511 of these Rules, means that salient features of the
24 proposed use can be served by land not restricted by contract
25 pursuant to these Rules. Such nonrestricted land may be a
26 single parcel or may be a combination of contiguous or
27 discontinuous parcels.
28

1 DIVISION II

2 ESTABLISHMENT OF AGRICULTURAL PRESERVES

3 Section 201. Agricultural Preserve Application.

4 Any landowner or group of landowners may initiate an application
5 to the Board to establish an agricultural preserve or to enlarge
6 the size of the preserve. An application to establish a preserve
7 or to enlarge a preserve may also be initiated by the Board on
8 recommendation of the Open Space Resources Committee but shall not
9 be acted upon until the Owner Petition for each owner of any
10 parcel of land included within the application has been filed by
11 the owner.

12
13 Section 202. Lands Eligible for Preserves.

14 Only land that is engaged in an agricultural use, a compatible
15 use, or any other use delineated in the Land Conservation Act of
16 1965 is eligible to be included in an agricultural preserve. No
17 agricultural preserve shall be established that completely
18 surrounds land devoted to an agricultural use or compatible use
19 that is not included within the preserve.

20
21 Section 203. Size of Preserve.

22 No agricultural preserve shall be established unless it contains
23 at least 100 acres of contiguous parcels of land; however, in
24 order to meet this requirement two or more parcels may be
25 combined. Enlargements of existing agricultural preserves shall
26 consist of no less than 10 acres contiguous to the existing
27 agricultural preserve.

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1 Sect 04. Agricultural Preserve Zoning.

2 Only land that currently has agricultural zoning as defined in
3 Ordinance No. 348, Section 21.3; or for which the applicant has
4 filed a request for a change of zone to such zoning, shall be
5 included within an agricultural preserve. The request for a
6 change of zone, if necessary, shall be filed concurrently with the
7 agricultural preserve application. An environmental assessment
8 shall be required for the change of zone request.

9
10 Section 205. Contents of Applications for Establishments or
11 Enlargements.

12 The Planning Department shall provide forms on which applications
13 for establishments or enlargements are to be made. An
14 application, to be complete, must contain the following
15 information:

- 16 (1) The name of the applicant and his address and telephone
17 number. If the applicant has a representative, the name,
18 address and telephone number of the representative.
19 (2) A statement setting forth whether the basis of the
20 application is the establishment or enlargement of an
21 agricultural preserve.
22 (3) A legal description of the exterior boundaries of the land
23 to be included within the agricultural preserve.
24 (4) The names and addresses of the owners of the land involved
25 in the application.
26 (5) The acreage and assessment numbers of the land involved in
27 the application.

- 1 (6) An Owner's Petition for each separate ownership of land
2 involved in the application. A husband and wife, a
3 partnership, a corporation, a trust, or a joint ownership
4 shall be considered as one owner.
- 5 (7) A map of the land affected by the application showing the
6 properties belonging to the separate ownerships.
- 7 (8) A nonrefundable filing fee as set forth in Section 706 of
8 these Rules for each application and for each Owner's
9 Petition.

10
11 Section 206. Owner's Petition for Establishments or Enlargements.

12 The Owner's Petition is the verified petition of an owner of each
13 parcel of land listed in an application for the creation of a
14 preserve or the addition of land to an existing preserve which
15 shall be filed with the application. The petition shall be on
16 forms provided by the Planning Department. A petition, to be
17 complete, must contain the following information:

- 18 (1) The name of the owner petitioner.
- 19 (2) The names and addresses of all record owners of the property
20 proposed to be included within a preserve, including the
21 names and addresses of all persons holding a mortgage or
22 beneficial interest under a trust deed in the property.
- 23 (3) If owner is a partnership or a corporation, a notarized
24 statement from said partnership or corporation indicating
25 that the petitioner is authorized to act on behalf of the
26 partnership or corporation, shall be included.
- 27 (4) A complete legal description of boundaries of the
28 petitioner's property as shown in the deed or title insurance
policy.

1 (5) A statement as to the present use of the land and any
2 agricultural commodities produced on the land.

3 (6) A copy of a Soil Conservation Plan prepared by the Soil
4 Conservation Service or written authorization for the Soil
5 Conservation Service to release this information to the
6 Assessor.

7 (7) The acreage amount and the assessment number of the property
8 proposed to be included in the preserve.

9 A petition that does not contain the above information shall be
10 returned by the Planning Director along with the application it is
11 part of as being incomplete.

12
13 Section 207. Report of the Planning Director.

14
15 After the filing of a completed application and any attached owner
16 petitions, the Planning Director shall prepare a report on the
17 application for the Board. The report shall contain the
18 following:

19 (1) The report of the Comprehensive Agricultural Preserve
20 Technical Advisory Committee.

21 (2) A statement as to whether or not the application is
22 consistent with the general plan.

23 (3) A map showing the location and boundaries of any preserve
24 proposed to be established or any land proposed to be added
25 to an established preserve.

26 (4) A recommended motion regarding the application to establish
27 or enlarge an agricultural preserve.

1 (5) A legal description of the exterior boundaries of the land
2 to be included within the agricultural preserve.

3 The report of the Planning Director shall be submitted to the
4 Board within 60 days after a completed application is filed with
5 the Planning Director.

6 The Board will not establish a preserve , or add lands to an
7 existing preserve, until it has received the report of the
8 Planning Director or until the time within which the Planning
9 Director has to report has elapsed.

10
11 Section 208. Hearing and Notice for Establishment or Enlargement.

12 Following the receipt of the report from the Planning Director, or
13 the elapse of the time within which the report should have been
14 received, the Clerk of the Board shall set the date and time for
15 public hearing on the application. *(30-day notice req'd to my City)*

16 Notice of the hearing shall be published pursuant to Section 6061 Once
17 of the Government Code and shall include a legal description, or
18 the assessor's parcel number, of the land which is proposed to be
19 included within the preserve.

20 Written notice, at least two weeks before the hearing, shall be
21 given to the Local Agency Formation Commission and to every city
22 within one mile of the exterior boundaries of the preserve.

23
24 given to the applicant, his representative and to every owner of
25 land to be included within the preserve.

26
27 Section 209. Decision of the Board to Establish or Enlarge
28 a Preserve.

1 Following the close of the public hearing, the Board shall render
2 its decision.

3 (1) A decision to establish or enlarge an agricultural preserve
4 shall be a tentative approval. The Planning Department will
5 give notice to all owners of real property within the
6 proposed preserve that they have 90 days after the date of of
7 of the Board to establish or enlarge an agricultural preserve
8 shall be made after all executed contracts have been filed
9 with the Planning Department. The final approval
10 establishing or enlarging a preserve shall be by Board
11 resolution. If contracts are not executed or returned within
12 90 days, the matter shall be returned to the Board agenda for
13 further decision by the Board.

14
15 2) A decision to deny the establishment or enlargement of an
16 agricultural preserve shall be final at the time of initial
17 decision and shall be by minute order of the Board.

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DIVISION III

LAND CONSERVATION CONTRACTS

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4 Section 301. Lands Eligible for Contracts.

5 Only those lands designated by the County as agricultural
6 preserves, and located within an approved or tentatively approved
7 agricultural preserve and devoted to agricultural uses are
8 eligible to be the subject of a land conservation contract between
9 the County and the landowner.

10
11 Section 302. Request for Entry into Contract.

12 Any owner of land located within an approved or tentatively
13 approved preserve may request to enter into a contract with the
14 County of Riverside on forms provided by the Planning Department.
15 A filing fee as set forth in Section 706 of these Rules shall
16 accompany the filing of the application.

17 The application shall state whether or not the land is presently
18 devoted to an agricultural use and, if so, what that use is.

19 Section 303. Form of Contract and Conditions.

20 The conditions of the contract shall be similar for all preserves
21 and shall be on forms supplied by the County and adopted by the
22 Board of Supervisors. However, there may be differences within
23 the contracts for preserves so long as such differences are
24 related to differences in location and characteristics of the land
25 and comply with these Rules and the the requirements of the
26 Williamson Act.

27 Every land conservation contract shall:

- 1 (1) Provide for the exclusion of uses other than agricultural,
2 and other than those compatible with agricultural uses, for
3 the duration of the contract.
- 4 (2) Shall be binding upon, and inure to the benefit of, all
5 successors in interest of the owner. Whenever land under
6 contract is divided, the owner of any parcel may exercise,
7 independent of any other owner of a portion of the divided
8 land, any of the rights of the owner in the original
9 contract, including the right to give notice of nonrenewal
10 and to petition for cancellation. The effect of any such
11 action by the owner of a parcel created by the division of
12 land under contract shall not be imputed to the owners of the
13 remaining parcels and shall have no effect on the contract as
14 it applies to the remaining parcels of the divided land.

15
16 Section 304. Report to Board.

17 Prior to the contract being signed by the Board, the Planning
18 Director shall report to the Board on whether or not the land is
19 eligible to be the subject of a land conservation contract.

20
21 Section 305. Notice of Intent to Contract.

22 The Clerk of the Board of Supervisors shall give written notice to
23 any city within the County of its intention to consider a contract
24 which includes land within one mile of the exterior boundaries of
25 that city. Such notice shall be given at least 30 days prior to
26 the time the Board of Supervisors intends to consider the
27 execution of such a contract.

do we renew contracts in different dates

Section 306. Term of Contract.

1 Each contract shall be for an initial term of no less than 10
2 years. Each contract shall provide that on the anniversary date
3 of the contract or such other annual date as specified by the
4 contract a year shall be added automatically to the initial term
5 unless notice of nonrenewal is given as provided by Section 401 of
6 these Rules.
7

8 Section 307. Recording of Land Conservation Contract.

9 No later than 20 days after the County enters into a contract with
10 a landowner pursuant to these Rules, the Clerk of the Board of
11 Supervisors shall record with the County Recorder a copy of the
12 contract, which shall describe the land subject thereto, together
13 with a reference to the map showing the location of the
14 agricultural preserve in which the property lies. From and after
15 the time of such recordation such contract shall impart such
16 notice thereof to all persons as is afforded by the recording laws
17 of the State of California.
18

19 DIVISION IV

20 NOTICE OF NONRENEWAL

21
22 Section 401. Notice of Nonrenewal.

23 If either the landowner or the County desires in any year not to
24 renew the contract, that party shall serve written notice of
25 nonrenewal of the contract upon the other party in advance of the
26 annual renewal date of the contract. Unless such written notice
27 is served by the landowner at least 90 days prior to the renewal
28

1 date or by the County at least 60 days prior to the renewal date,
2 the contract shall be considered renewed as provided in Section
3 306 of these Rules.

4 Upon receipt by the owner of a notice from the County of
5 nonrenewal, the owner may make a written protest of the notice of
6 nonrenewal. The County may, at any time prior to the renewal
7 date, withdraw the notice of nonrenewal. Unless authorized by the
8 Board to serve a notice of nonrenewal on a portion of the owner's
9 land within an individual agricultural preserve, the notice of
10 nonrenewal shall be for nonrenewal of the contract for all of the
11 owner's land within an individual preserve.

12
13 Section 402. Notice of Nonrenewal on a Portion of an Owner's
14 Land within an Agricultural Preserve.

15 Upon request by the owner, the Board may authorize the owner to
16 serve a notice of nonrenewal on a portion of the land under a
17 contract.

18
19 Section 403. Form for Notice of Nonrenewal.

20 A notice of nonrenewal by the owner shall be submitted on forms
21 provided by the Planning Department. When the landowner is a
22 successor in interest to the owner who executed the contract, the
23 notice of nonrenewal shall be accompanied by proof of ownership,
24 such as a copy of the deed. The notice of nonrenewal shall be
25 submitted accompanied by the filing fee set forth in Section 706
26 of these Rules.

27
28 Section 404. Term Following Notice of Nonrenewal.

1 If the County or the landowner serves notice of intent in any year
2 not to renew the contract, the existing contract shall remain in
3 effect for the balance of the period remaining since the original
4 execution or the last renewal of the contract, as the case may be.

5
6 DIVISION V

7
8
9 DISESTABLISHMENT OF AGRICULTURAL PRESERVES

10 Section 501. Disestablishment or Diminishment of Agricultural
11 Preserve.

12 Any landowner or group of landowners may initiate an application
13 to terminate or diminish the size of a preserve.

14 Section 502. Land Ineligible for Removal from Preserve.

15 No land for which a land conservation contract has been executed
16 shall be removed from an agricultural preserve unless the contract
17 for the land is also cancelled.

18
19 Section 503. Contents of Application for Disestablishments
20 or Diminishments.

21 The Planning Department shall provide forms on which applications
22 for disestablishments or diminishments are to be made. An
23 application, to be complete, must contain the following
24 information:

- 25 (1) The name of the applicant and his address and telephone
26 number. If the applicant has a representative, the name,
27 address and telephone number of the representative.

- 1 (2) A statement setting forth whether the basis of the
2 application is for the disestablishment or the diminishment
3 of an agricultural preserve.
- 4 (3) The name and map number of the affected agricultural
5 preserve.
- 6 (4) A legal description of the exterior boundaries of the
7 affected property.
- 8 (5) The names and addresses of the owners of the land involved
9 in this application.
- 10 (6) The acreages and assessment numbers of the land involved in
11 the application.
- 12 (7) A statement as to whether a notice of nonrenewal has been
13 served on the land involved in the application and the date
14 of the notice of nonrenewal.
- 15 (8) When the landowner is a successor in interest to the owner
16 who executed the contract with the County, the application
17 for disestablishment or diminishment shall be accompanied by
18 proof of ownership, such as a copy of the deed.
- 19 (9) A Petition for Cancellation of Contract. —
- 20 (10) A map of the land affected by the application showing the
21 properties belonging to the separate ownerships.
- 22 (11) A non-refundable fee as set forth in Section 706 of these
23 Rules for the application.
- 24 (12) An Environmental Assessment Form and any additional filing
25 fees as may be appropriate.

26
27
28

1 Section 504. Petition for Cancellation of Contract.

2 The Petition for Cancellation of Contract is a petition of an
3 owner to the Board for cancellation of any contract as to all or
4 part of the subject land, which shall be filed with the
5 application for disestablishment or diminishment of an
6 agricultural preserve. A petition for cancellation, to be
7 complete, must contain the following information:

- 8 (1) A statement requesting the Board to cancel the Land
9 Conservation Contract, listing the preserve name, map number,
10 and the instrument number of the contract and the date it was
11 recorded and signed by the owner or one of the owners
12 authorized to act on behalf of all the owners of the subject
13 land. In the case of one owner authorized to act in behalf
14 of all the owners, a copy of that authorization shall be
15 attached to the petition for cancellation.
- 16 (2) The names and addresses of all record owners of the property
17 proposed for deletion from Land Conservation Contracts,
18 including the names and addresses of all persons holding a
19 mortgage or beneficial interest in the property.
- 20 (3) A complete legal description of the boundaries of the
21 petitioner's property as shown in the deed or title insurance
22 policy.
- 23 (4) A statement outlining the proposed alternative land use for
24 this property.
- 25 (5) Any written evidence establishing the lack of proximate
26 noncontracted property which is both available and suitable
27 for the proposed alternative land use.
- 28 (6) Required property owners notification information.

1 A petition for cancellation that does not contain the above
2 information shall be returned by the Planning Director along with
3 the application as being incomplete.

4
5 Section 505. Proposed Alternative Land Use.

6 The landowner's petition for cancellation shall be accompanied by
7 a proposal for a specified alternative use of the land. The
8 proposal shall be accompanied by all required applications for
9 these alternative uses and applicable fees. Forms for these
10 alternative uses of land shall be provided by the Planning
11 Department.

12 A petition for cancellation not accompanied by applications for
13 the proposed alternative uses of land and applicable fees shall be
14 returned by the Planning Director along with the application as
15 being incomplete.

16
17 Section 506. Report of the Planning Director.

18 After the filing of a completed application, attached petition for
19 cancellation, and applications for proposed alternative uses of
20 land, the Planning Director shall prepare a report on the
21 application for the Board. The report shall contain the
22 following:

- 23 (1) The report of the Comprehensive Agricultural Preserve
24 Technical Advisory Committee.
- 25 (2) A statement as to whether or not the application is
26 consistent with the general plan.
- 27 (3) A recommended motion regarding the application to
28 disestablish or diminish the agricultural preserve.

Notice - public hearing

Disestablishment

- GOU 1 time in newspaper
- 2 weeks to city / Lefo
- 10 days to Doc

Also notice for amount to Doc
at least 30 days before
hearing -

GC 6061

GC 51284.1

1 (4) A legal description of the exterior boundaries of the land
2 to be removed from agricultural preserve contract.

3 (5) A map showing the location and boundaries of the land to be
4 removed from agricultural preserve contract.

5 The report of the Planning Director shall be submitted to the
6 Board in conjunction with the proposed alternative uses of land.
7 The Board will not terminate or remove land from a preserve until
8 it has received the report of the Planning Director.

9
10 Section 507. Hearing and Notice for Disestablishment
11 or Diminishment.

12 Following the receipt of the report from the Planning Director,
13 the Clerk of the Board shall set the date and time for public
14 hearing on the application.

15 Notice of the proposed disestablishment or diminishment and
16 proposed cancellation of a contract shall be furnished by the
17 Board to the affected contract landowner by certified mail
18 directed to him at his last known address to the Board.

19 Notice of the hearing shall be published pursuant to Section 6061
20 of the Government Code and shall be mailed to the State Director
21 of Food and Agriculture and Conservation, and to every owner of
22 land under contract, and any portion of which is situated within
23 the same agricultural preserve and within one mile of the exterior
24 boundary of the land upon which the contract is proposed to be
25 cancelled.

26 Section 508. Grounds for Cancellation of a Contract.

27 The Board may grant tentative approval for cancellation of a
28 contract only if it makes one of the following findings:

1 (1) That the cancellation is consistent with the purposes of the
2 Land Conservation Act of 1965; or

3 (2) That cancellation is in the public interest.

4 For the purposes of this section, the uneconomic character of an
5 existing agricultural use shall not by itself be sufficient reason
6 for cancellation of the contract. The uneconomic character of an
7 existing use may be considered only if there is no other
8 reasonable or comparable agricultural use to which the land may be
9 put.

10

11 Section 509. Cancellation Consistent with the Land Conservation
12 Act of 1965.

13 For purposes of finding (1) of Section 508 of these Rules,
14 cancellation of a contract shall be consistent with the purposes
15 of the Land Conservation Act of 1965 only if the Board makes all
16 of the following findings:

17 (1) That the cancellation is for land on which a notice of
18 nonrenewal has been served pursuant to Section 401 of these
19 Rules and Government Code Section 51245.

20 (2) That cancellation is not likely to result in the removal of
21 adjacent lands from agricultural use.

22 (3) That cancellation is for an alternative use which is
23 consistent with the applicable provisions of the County
24 general plan.

25 (4) That cancellation will not result in discontinuous patterns
26 of urban development.

27 (5) That there is no proximate noncontracted land which is both
28 available and suitable for the use to which it is proposed

1 the contracted land be put, or, that development of the
2 contracted land would provide more contiguous patterns of
3 urban development than development of proximate noncontracted
4 land.

5
6 Section 510. Cancellation in the Public Interest.

7 For purposes of finding (2) of Section 508 of these Rules,
8 cancellation of a contract shall be in the public interest only if
9 the Board makes the following findings:

- 10 (1) That other public concerns substantially outweigh the
11 objectives of the Land Conservation Act of 1965; and
12 (2) That there is no proximate noncontracted land which is both
13 available and suitable for the use to which it is proposed
14 the contracted land be put, or, that development of the
15 contracted land would provide more contiguous patterns of
16 urban development than development of proximate noncontracted
17 land.

18
19 Section 511. Certificate of Tentative Cancellation.

- 20 (1) Upon tentative approval of a petition accompanied by a
21 proposal for a specified alternative use of the land, the
22 Clerk of the Board shall record in the Office of the County
23 Recorder a certificate of tentative cancellation, which shall
24 set forth the name of the landowner requesting the
25 cancellation, the fact that a certificate of cancellation of
26 contract will be issued and recorded at such time as
27 specified conditions and contingencies are satisfied, a
28 description of the conditions and contingencies which must be

satisfied, and a legal description of the property.

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Conditions to be satisfied shall include payment in full of the amount of the fee computed under the provisions of Sections 513 and 514 of these Rules, together with a statement that unless the fee is paid, or a certificate of cancellation of contract is issued within one year from the date of the recording of the certificate of tentative cancellation, such fee shall be recomputed as of the date of notice described in paragraph (2) of this section. Any provisions related to the waiver of such fee or portion thereof shall be treated in the manner provided for in the certificate of tentative cancellation. Contingencies to be satisfied shall include a requirement that the landowner obtain all permits necessary to commence the project. The Board may, at the request of the landowner, amend a tentatively approved specified alternative use if it finds that such amendment is consistent with the findings made pursuant to Section 508 of the Rules.

- (2) The landowner shall notify the Board when he has satisfied the conditions and contingencies enumerated in the certificate of tentative cancellation. Within 30 days of receipt of such notice, and upon a determination that the conditions and contingencies have been satisfied, the Board shall execute a certificate of final cancellation of contract and cause the same to be recorded.
- (3) If the landowner has been unable to satisfy the conditions and contingencies enumerated in the certificate of tentative cancellation, the landowner shall notify the Board of the

1 particular conditions or contingencies he is unable to
2 satisfy. Within 30 days of receipt of such notice, and upon
3 a determination that the landowner is unable to satisfy the
4 conditions and contingencies listed, the Board shall execute
5 a certificate of withdrawal of tentative approval of a
6 cancellation of contract and cause the same to be recorded.
7 However, the landowner shall not be entitled to the refund of
8 any cancellation fee paid.

9
10 Section 512. Decision of the Board for Disestablishment.

11 Following the close of the public hearing, the Board shall render
12 its decision. A decision to diminish or terminate an agricultural
13 preserve shall be made as follows:

- 14 (1) If none of the land is subject to an executed land
15 conservation contract, the decision shall be final upon the
16 adoption of a resolution by the Board.
- 17 (2) If some or all of the land is subject to an executed land
18 conservation contract, the tentative approval of the
19 disestablishment or diminishment shall be by minute order and
20 the matter shall be referred back to the Planning Department
21 for the preparation of a Certificate of Tentative
22 Cancellation in accordance with the provisions of Section 511
23 of these Rules for adoption by the Board, or for preparation
24 of a Certificate of Final Cancellation for adoption by the
25 Board if all conditions of approval have been completed by
26 the applicant. Adoption of the Certificate of Tentative
27 Cancellation or the Certificate of Final Cancellation shall
28 be by resolution.

1
2 Section 513. Cancellation Fee.

3 (1) Prior to any action by the Board giving tentative approval
4 to the cancellation of any contract, the County Assessor
5 shall determine the ~~full cash~~ ^{current market} value of the land as though it
6 were free of the contractual restriction. The Assessor shall
7 certify to the Board the cancellation valuation of the land
8 for the purpose of determining the cancellation fee.

9 (2) Prior to giving tentative approval to the cancellation of
10 any contract the Board shall determine and certify to the
11 County Auditor the amount of the cancellation fee which the
12 landowner must pay the County Treasurer as deferred taxes
13 upon cancellation. That fee shall be an amount equal to 12%
14 percent of the cancellation valuation of the property.

15 (3) If they find that it is in the public interest to do so the
16 Board may waive any such payment or any portion thereof, or
17 may extend the time for making such payment or a portion
18 thereof contingent upon the future use made of the land and
19 its economic return to the landowner for a period of time not
20 to exceed the unexpired period of the contract, had it not
21 been canceled, provided the requirements set forth in
22 Government Code Section 51283 are met.

23 Deferred taxes collected under the provisions of this section
24 shall be transmitted by the County Treasurer to the State
25 Controller in accordance with the requirements of Government Code
26 Section 51283(d).

27
28 Section 514. Additional Deferred Taxes.

1 In addition to the fee provided for in Section 513 of these Rules,
2 the Board shall require the payment of additional deferred taxes,
3 determined according to the provisions of Government Code Section
4 51283.1.

5 The additional deferred taxes shall be collected in the same
6 manner and at the same time as the cancellation fee provided for
7 in Section 513 of these Rules.

8
9 DIVISION VI.

10 COMPREHENSIVE AGRICULTURAL PRESERVE

11 TECHNICAL ADVISORY COMMITTEE

12
13
14 Section 601. Function of the Committee.

15 The function of the Comprehensive Agricultural Preserve Technical
16 Advisory Committee (CAPTAC) is to review and prepare a report on
17 applications involving agricultural preserves, and to advise the
18 Board on the administration of the agricultural preserves in the
19 County and on any matters relating to contracts entered into
20 pursuant to these Rules.

21 Section 602. Composition of the Committee.

22 The Comprehensive Agricultural Preserve Technical Advisory
23 Committee shall be composed of the Planning Director, who shall be
24 Chairman, the County's Open Space Resources Committee, and one
25 representative of each of the following:

- 26 (1) Agricultural Commissioner.
27 (2) U.S.D.A. Soil Conservation Service.

1 (3) University of California - Cooperative Extension, County of
2 Riverside.

3 (4) County Assessor.

4 The Office of County Counsel shall provide legal advice to the
5 CAPTAC upon request.
6

7 Section 603. Transmittal of Documents.

8 Upon filing of an application involving an agriculturalthe
9 Planning Director shall prepare and transmit to each member of the
10 Comprehensive Agricultural Preserve Technical Advisory Committee a
11 copy of the application and any accompanying owner petitions, a
12 vicinity map, and a proposed boundary map.
13

14 Section 604. Meetings.

15 The Comprehensive Agricultural Preserve Technical Advisory
16 Committee shall meet at the call of the Planning Director.
17

18 Section 605. Contents of Report.

19 The report of the Comprehensive Agricultural Preserve Technical
20 Advisory Committee shall contain:

- 21 (1) A statement as to whether or not the Comprehensive
22 Agricultural Preserve Technical Advisory Committee recommends
23 approval of the application and the reasons for said
24 recommendation.
25 (2) Any recommendation for modification of the application.
26 (3) If the application submitted is to establish a preserve or
27 to add lands to an existing preserve, the report shall also
28 include the Technical Advisory Committee's factual findings

- 1 (a) Present zoning of lands proposed to be included in the
2 preserve and surrounding land.
- 3 (b) Present land use of land proposed to be included in the
4 preserve and surrounding properties.
- 5 (c) Whether or not the land proposed to be included in the
6 preserve is presently employed in an agricultural use
7 and, if so, the agricultural commodities grown thereon.
- 8 (d) The agricultural commodities that may be grown on the
9 property proposed to be included in the preserve taking
10 into consideration the said type, water availability and
11 other conditions that may affect the growing of crops.
- 12 (e) Whether or not the existing or proposed agricultural
13 use of the land constitutes or could constitute a
14 nuisance, public or private, to the surrounding lands.
- 15 (f) The current assessed valuation and the estimated
16 reduction in assessed valuation if the real property
17 proposed to be included in the preserve enters into a
18 land conservation contract.
- 19 (g) A list of any cities that are within one mile of the
20 proposed boundaries of the preserve, and any comments
21 expressed by such a city on the application.
- 22 (h) The existence of any historic or scenic value to the
23 lands proposed to be included in the preserve.
- 24 (i) The acreages of each land owner included in the
25 application and the total acreage.
- 26 (4) If the application submitted is to disestablish a preserve
27 or to delete lands from a preserve, the report shall also
28 include the Technical Advisory Committee's findings and
conclusions as to the following:

- 1 (a) Whether a notice of nonrenewal has been served pursuant
2 to the Williamson Act Section 401 of these Rules.
3 (b) Whether the cancellation is likely to result in the
4 removal of adjacent lands from agricultural use.
5 (c) Whether the proposed alternative use of land is
6 consistent with the provisions of the County general
7 plan.
8 (d) Whether the cancellation will result in discontinuous
9 patterns of urban development.
10 (e) Whether there is proximate noncontracted land which is
11 both available and suitable for the use to which it is
12 proposed the contracted land be put, or, whether the
13 development of the contracted land would provide more
14 contiguous patterns of urban development than
15 development of proximate noncontracted land.

16
17 DIVISION VII

18 MISCELLANEOUS PROVISIONS

19
20 Section 701. Filing of Map and Resolution.

21 Whenever an agricultural preserve is established, and so long as
22 it shall be in effect, a map of such agricultural preserve and the
23 resolution under which the preserve was established shall be filed
24 and kept current with the County Recorder.

25
26 / / / /

27
28 Section 702. Filing of Map with State Director of Food and

1 Agriculture.

2 On or before the first day of September of each year, the Planning
3 Director shall file with the State Director of Food and
4 Agriculture a map of the County designating thereon all
5 agricultural preserves in existence at the end of the preceding
6 fiscal year.

7
8 Section 703. Rescission of Contract and Simultaneous Entry into
9 New Contract.

10 Notwithstanding any other provision of these Rules, the parties
11 may upon their mutual agreement rescind a contract in order
12 simultaneously to enter into a new contract pursuant to these
13 Rules which new contract would enforceably restrict the same
14 property for an initial term at least as long as the unexpired
15 term of the contract being so rescinded but not less than 10
16 years. Such action may be taken notwithstanding the prior serving
17 of a notice of nonrenewal relative to the former contract.

18
19 Section 704. Minimum Lot Sizes Within Agricultural Preserves.

20 Whenever a division of land is proposed within an agricultural
21 preserve, the total number of lots shall be determined pursuant to
22 the general plan for Riverside County and any applicable zoning
23 classification, whichever is more restrictive. In any event, no
24 parcel shall be created that is below the minimum size of 10
25 acres.

26
27 / / / /

1 Section 705. Filing Period for Agricultural Preserves.

2 No application to establish, terminate, enlarge or diminish an
3 agricultural preserve shall be received on or after November 1 of
4 any year until March 1 of the following year.

5 Section 706. Fees.

6 The fee for an application to create a preserve or add lands to a
7 preserve shall be \$400 plus \$40 for each owner's petition filed
8 with the application. There will also be a \$25 contract fee if
9 the application is approved. The fee for an application to
10 terminate or remove lands from a preserve shall be \$400. The
11 appropriate fee shall accompany the application and is not
12 refundable. There shall be no fee for an application initiated by
13 the Board of Supervisors; provided, however, that the \$40 fee for
14 each owner petition shall be payable with the contract fee when
15 the property is proposed to be placed under a Land Conservation
16 Contract. The fee for a Notice of Nonrenewal shall be \$25.

17
18 Section 707. Effective Date.

19 These Rules and Regulations shall apply to all applications filed
20 on or after March 1, 1985. All applications filed prior to March
21 1, 1985, and not finally acted upon by that date shall not be
22 finally determined until the information required by these Rules
23 and Regulations have been supplied.
24
25

26 S:rmh
27
28 Dated: December 18, 1984
29



RIVERSIDE COUNTY PLANNING DEPARTMENT

John Hildebrand
Planning Director

NOTICE OF EXEMPTION

TO: Office of Planning and Research (OPR) **FROM:** Riverside County Planning Department
P.O. Box 3044 4080 Lemon Street, 12th Floor 38686 El Cerrito Road
Sacramento, CA 95812-3044 P. O. Box 1409 Palm Desert, CA 92201
 County of Riverside County Clerk Riverside, CA 92502-1409

Project Title/Case No.: CAPTAC - Resolution No. 84-526 Amendments

Project Location: In all unincorporated areas of Riverside County (Countywide Ordinance)

Project Description: Conduct a public hearing and recommend approval of a Resolution amending the Rules and Regulations Governing Agricultural Preserves in Riverside County attached to Resolution No. 84-526 that forms the Comprehensive Agricultural Preserve Technical Advisory Committee (CAPTAC) hearing body. Amendments include a change in the hearing body formation from the current makeup to the Riverside County Planning Commission, establishing Agricultural Preserve entitlement findings, and general provision cleanups to become consistent with State law.

Name of Public Agency Approving Project: Riverside County Planning Department

Project Applicant & Address: Riverside County, 4080 Lemon Street, 12th Floor, Riverside, CA 92501

Exempt Status: (Check one)

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

Reasons why project is exempt: This proposed project is exempt from the California Environmental Quality Act (CEQA) review, pursuant State CEQA Guidelines Section 15061(b)(3) (Commonsense Exemptions). The project includes a reformation of a hearing body and amended language to become consistent with State law, related to agricultural preserves. There is no grading or construction associated with this project and therefore, no physical environmental impacts.

John Earle Hildebrand III (951) 955-1888
County Contact Person Phone Number

John Hildebrand Planning Director 02/03/2026
Signature Title Date

Date Received for Filing and Posting at OPR: _____

FOR COUNTY CLERK'S USE ONLY

County Clerk Posting Fee = **\$50.00**

1 RULES AND REGULATIONS GOVERNING
2 AGRICULTURAL PRESERVES IN RIVERSIDE COUNTY

3 The following Rules ~~and Regulations~~ are adopted pursuant to ~~California~~ Government Code ~~S~~section
4 51231 and shall govern the administration of agricultural preserves, including procedures for initiating,
5 filing and processing requests to establish, enlarge, disestablish or diminish agricultural preserves,
6 established in Riverside County pursuant to the California Land Conservation Act of 1965 (Government
7 Code ~~s~~Sections 51200 et seq.) and Ordinance No. 509 of Riverside County. All agricultural preserves must
8 be in conformance with these Rules and all provisions of the Williamson Act.

9 The Board declares that these Rules shall be construed as a continuation of the existing Rules and
10 Regulations Governing Agricultural Preserves and not as a new enactment, except as to provisions of these
11 Rules which are inconsistent therewith, and any application previously approved under the existing Rules
12 and Regulations Governing Agricultural Preserves shall be deemed to comply with these Rules.

13 DIVISION I
14 GENERAL PROVISIONS

15 Section 101. Findings.

16 The County finds that these Rules are necessary for the promotion of the general welfare and the protection
17 of the public interest in that:

- 18 (a) The preservation of the maximum amount of the limited supply of agricultural land is necessary to
19 the conservation of the County's economic resources, and is necessary not only for the maintenance
20 of the agricultural economy of the County, but also for the assurance of adequate, healthful and
21 nutritious food for future residents of the County.
- 22 (b) The discouragement of premature and unnecessary conversion of agricultural land to urban uses is
23 a matter of public interest and will be of benefit to urban dwellers themselves in that it will
24 discourage discontinuous urban development patterns which unnecessarily increase the costs of
25 community services to community residents.
- 26 (c) In a rapidly urbanizing society agricultural lands have a definitive public value as open space, and
27 the preservation in agricultural production of such lands, constitutes an important physical, social,
28

1 aesthetic and economic asset to existing and pending urban or metropolitan developments.

2 Section 102. Definitions.

3 As used in these Rules, unless otherwise apparent from the context:

- 4 (a) “Agricultural commodity” means any and all plant and animal products produced in Riverside
5 County for commercial purposes.
- 6 (b) “Agricultural use” means use of land for the purpose of producing an agricultural commodity for
7 commercial purposes.
- 8 (c) “Agricultural preserve” or “preserve” means an area devoted to those agricultural or other uses
9 allowed under the provisions of the Land Conservation Act of 1965, and those compatible uses as
10 designated and established by the Board after notice and hearing.

11 (d) “Board” means the Board of Supervisors of Riverside County.

12 ~~(d)(e)~~ “CAPTAC” means the Comprehensive Agricultural
13 Preserve Technical Advisory Committee, which reviews and prepares a report on applications
14 involving agricultural preserves and advises the Board on the administration of the agricultural
15 preserves in the County.

16 ~~(e)(f)~~ “Compatible use” is any use so defined in County
17 Ordinance No. 509, as may be amended from time to time of Riverside County.

18 ~~(f)(g)~~ “Contract” means a Land Conservation Contract
19 executed between the County and the landowner in accordance with these Rules.

20 ~~(g)(h)~~ “County” means the County of Riverside, State of
21 California.

22 ~~(h)(i)~~ “Land Conservation Act of 1965” means those
23 provisions of the ~~California~~ Government Code commencing with Section 51200, as may be
24 amended from time to time, which pertain to agricultural land and which is also known as the
25 Williamson Act.

26 (j) “Owner’s Petition” means the verified petition of an owner of each parcel of land listed in an
27 application for the creation of a preserve or the addition of land to an existing preserve.

1 ~~(j)(k)~~ _____ “Proximate, noncontracted land” means land not
2 restricted by Ceontract pursuant to these Rules, which is sufficiently close to land which is so
3 restricted that it can serve as a practical alternative for the use which is proposed for the restricted
4 land.

5 ~~(j)(l)~~ _____ “Rules” means these “Rules and Regulations
6 Governing Agricultural Preserves in Riverside County.”

7 ~~(k)(m)~~ _____ “Suitable” for the proposed use as used in Sections
8 510 and 511 of these Rules, means that salient features of the proposed use can be served by land
9 not restricted by Ceontract pursuant to these Rules. Such nonrestricted land may be a single parcel
10 or may be a combination of contiguous or discontiguous parcels.

13 DIVISION II

14 ESTABLISHMENT AND ENLARGEMENT OF AGRICULTURAL PRESERVES

15 Section 201. Agricultural Preserve Application.

16 Any landowner or group of landowners may initiate an application to the Board to establish an agricultural
17 preserve or to enlarge the size of the preserve. An application to establish a preserve or to enlarge a preserve
18 may also be initiated by the Board ~~on recommendation of the Open Space Resources Committee~~ but shall
19 not be acted upon until the Owner’s Petition for each owner of any parcel of land included within the
20 application has been filed by the owner.

21 ~~Section 202. Lands Eligible for Preserves.~~

22 ~~Only land that is engaged in an agricultural use, a compatible use, or any other delineated in the Land~~
23 ~~Conservation Act of 1965 is eligible to be included in an agricultural preserve. No agricultural preserve~~
24 ~~shall be established that completely surrounds land devoted to an agricultural use or compatible use that is~~
25 ~~not included within the preserve.~~

26 ~~Section 203. Size of Preserve.~~

1 ~~No agricultural preserve shall be established unless it contains at least 100 acres of contiguous parcels of~~
2 ~~land; however, in order to meet this requirement two or more parcels may be combined. Enlargements of~~
3 ~~existing agricultural preserves shall consist of no less than 10 acres contiguous to the existing agricultural~~
4 ~~preserve.~~

5 Section 204. Agricultural Preserve Zoning.

6 ~~Only land that currently has agricultural zoning as defined in Ordinance No. 348, Section 21.3; or for which~~
7 ~~the applicant has filed a request for a change of zone to such zoning, shall be included within an agricultural~~
8 ~~preserve. The request for a change of zone, if necessary, shall be filed concurrently with the agricultural~~
9 ~~preserve application. An environmental assessment shall be required for the change of zone request.~~

10 Section 2025. Contents of Applications for Establishments or Enlargements.

11 The Planning Department shall provide forms on which applications for establishments or enlargements are
12 to be made. An application, to be complete, must contain the following information:

- 13 (1) The applicant's name, ~~of the applicant and his~~ address, and telephone number. If the applicant has
14 a representative, the name, address and telephone number of the representative.
- 15 (2) A statement setting forth whether the basis of the application is the establishment or enlargement of
16 an agricultural preserve.
- 17 (3) A legal description of the exterior boundaries of the land to be included within the agricultural
18 preserve.
- 19 (4) The names and addresses of the owners of the land involved in the application.
- 20 (5) The acreage and assessment numbers of the land involved in the application.
- 21 (6) An Owner's Petition for each separate ownership of land involved in the application. ~~A husband and~~
22 ~~wife~~Spouses, a partnership, a corporation, a trust, or ~~a other~~ joint ownership shall be considered as
23 one owner.
- 24 (7) A map of the land affected by the application showing the properties belonging to the separate
25 ownerships.
- 26 (8) A nonrefundable filing fee as set forth in Section 706 of these Rules for each application and for
27 each Owner's Petition.

1 Section 2036. Owner's Petition for Establishments or Enlargements.

2 The Owner's Petition is the verified petition of an owner of each parcel of land listed in an application for
3 the creation of a preserve or the addition of land to an existing preserve which shall be filed with the
4 application. The petition shall be on forms provided by the Planning Department. A petition, to be complete,
5 must contain the following information:

6 (1) The name of the owner petitioner.

7 (2) The names and addresses of all record owners of the property proposed to be included within a
8 preserve, including the names and addresses of all persons holding a mortgage or beneficial interest
9 under a trust deed in the property.

10 (3) If owner is a partnership or a corporation, a notarized statement ~~form from~~ said partnership or
11 corporation indicating that the petitioner is authorized to act on behalf of the partnership or
12 corporation, shall be included.

13 (4) A complete legal description of boundaries of the petitioner's property as shown in the deed or title
14 insurance policy.

15 (5) A statement as to the present use of the land and any agricultural commodities produced on the land.

16 ~~(6) A copy of a Soil Conservation Plan prepared by the Soil Conservation Service or written~~
17 ~~authorization for the Soil Conservation Service to release this information to the Assessor.~~

18 ~~(7)(6)~~ The acreage amount and the assessment number of the property proposed to be included in
19 the preserve.

20 A petition that does not contain the above information shall be returned by the Planning Director, along
21 with the application it is part of, as being incomplete.

22 Section 2047. Report of the Planning Director.

23 After the filing of a completed application and any attached ~~O~~owner's ~~P~~petition(s), the Planning Director
24 shall prepare a report on the application for the Board. The report shall contain the following:

25 (1) The report of the ~~Comprehensive Agricultural Preserve Technical Advisory Committee~~CAPTAC.

26 (2) A statement as to whether or not the application is consistent with the ~~G~~general ~~P~~plan.
27
28

1 (3) A map showing the location and boundaries of any preserve proposed to be established or any land
2 proposed to be added to an established preserve.

3 (4) A recommended motion regarding the application to establish or enlarge an agricultural preserve.

4 (5) A legal description of the exterior boundaries of the land to be included within the agricultural
5 preserve.

6 The report of the Planning Director shall be submitted to the Board within 60 days after a completed
7 application is filed with the Planning Director.

8 The Board will not establish a preserve, or add lands to an existing preserve, until it has received the report
9 of the Planning Director or until the time within which the Planning Director has to report has elapsed.

10 Section 2058. Hearing and Notice for Establishment or Enlargement.

11 Following the receipt of the report from the Planning Director, or the elapse of the time within which the
12 report should have been received, the Clerk of the Board shall set the date and time for public hearing on
13 the application.

14 Notice of the hearing shall be published pursuant to Section 6061 of the Government Code and shall include
15 a legal description, or the assessor's parcel number, of the land which is proposed to be included within the
16 preserve.

17 Written notice, at least two weeks before the hearing, shall be given to the Local Agency Formation
18 Commission and to every city within one mile of the exterior boundaries of the preserve.

19 Written notice shall also be sent to the applicant, ~~his~~the applicant's designated representative, ~~and~~ to every
20 owner of land to be included within the preserve, to the Agricultural Commissioner, the U.S.D.A. Soil
21 Conservation Service, the University of California – Cooperative Extension County of Riverside, and the
22 County Assessor.

23 Section 2069. Decision of the Board to Establish or Enlarge a Preserve.

24 Following the close of the public hearing, the Board shall render its decision.

25 (1) A decision to establish or enlarge an agricultural preserve shall be a tentative approval. The Planning
26 Department ~~will~~shall give notice to all owners of real property within the proposed preserve that
27 they have 90 days after the date of ~~of~~of the Board's tentative approval to ~~to establish or enlarge an~~
28

1 ~~agricultural preserve shall be made after file~~ all executed ~~C~~contracts ~~have been filed~~ with the
2 Planning Department. The final approval establishing or enlarging a preserve shall be approved by
3 Board resolution. If ~~C~~contracts are not executed or returned within 90 days after the Board's
4 tentative approval, the matter shall be returned to the Board agenda for further decision by the Board.

5 (2) A decision to deny the establishment or enlargement of an agricultural preserve shall be final at the
6 time of initial decision and shall be by minute order of the Board.

7 Section 207. Findings for the Establishment of a Preserve

8 (1) The land is engaged in an agricultural use, a compatible use, an open space use, a recreational use,
9 a combination of any of the aforementioned uses, or any other use delineated in the Land
10 Conservation Act of 1965.

11 (2) The land does not completely surround land devoted to an agricultural use or compatible use which
12 is omitted from the preserve.

13 (3) The land contains at least 100 acres of contiguous parcels of land; however, in order to meet this
14 requirement, two or more parcels may be combined if they are contiguous or they are in common
15 ownership.

16 (4) The preserve is consistent with the General Plan.

17 (5) The land has agricultural zoning as defined in Ordinance No. 348 or for which the applicant has
18 filed a request for a change of zone to such zoning. If a request for a change of zone is necessary, a
19 finding shall be made that it was filed and processed concurrently with the agricultural preserve
20 application and that an environmental assessment was prepared for the change of zone request.

21 Section 208. Findings for the Enlargement of a Preserve.

22 (1) The same findings shall be made as for the establishment of a Preserve, plus a finding shall be made
23 that the enlargement consists of no less than 10 acres contiguous to the existing Preserve.

24 DIVISION III

25 LAND CONSERVATION CONTRACTS

26 Section 301. Lands Eligible for Contracts.

27 Only those lands designated by the County as agricultural preserves, and located within an approved or
28

1 tentatively approved agricultural preserve and devoted to agricultural uses, are eligible to be the subject of
2 a Land eConservation eContract between the County and the landowner.

3 Section 302. Request for Entry into Contract.

4 Any owner of land located within an approved or tentatively approved preserve may request to enter into a
5 eContract with the County of Riverside on forms provided by the Planning Department. A filing fee as set
6 forth in Section 706 of these Rules shall accompany the filing of the application. The application shall state
7 whether or not the land is presently devoted to an agricultural use and, if so, what that use is.

8 Section 303. Form of Contract and Conditions.

9 The conditions of the Cecontract shall be similar for all preserves and shall be on forms supplied by the
10 County and adopted by the Board of Supervisors. However, there may be differences within the Cecontracts
11 for preserves so long as such differences are related to differences in location and characteristics of the land
12 and comply with these Rules and the requirements of the Williamson Act.

13 Section 304. Dividing Land Under Contract.

14 Whenever land under Contract is divided, the owner of any parcel may exercise, independent of any other
15 owner of a portion of the divided land, any of the rights of the owner in the original Contract, including the
16 right to give notice of nonrenewal and to petition for cancellation. The effect of any such action by the
17 owner of a parcel created by the division of land under Contract shall not be imputed to the owners of the
18 remaining parcels and shall have no effect on the Contract as it applies to the remaining parcels of the
19 divided land.

20 ~~Every land conservation contract shall:~~

21 ~~(1) Provide for the exclusion of uses other than agricultural, and other than those compatible with~~
22 ~~agricultural uses, for the duration of the contract.~~

23 ~~(2) Shall be binding upon, and inure to the benefit of, all successors in interest of the owner. Whenever~~
24 ~~land under contract is divided, the owner of any parcel may exercise, independent of any other owner~~
25 ~~of a portion of the divided land, any of the rights of the owner in the original contract, including the~~
26 ~~right to give notice of nonrenewal and to petition for cancellation. The effect of any such action by~~
27 ~~the owner of a parcel created by the division of land under contract shall not be imputed to the~~

1 ~~owners of the remaining parcels and shall have no effect on the contract as it applies to the remaining~~
2 ~~parcels of the divided land.~~

3 Section 3054. Report to Board.

4 Prior to the Contract being signed by the Board, the Planning Director shall report to the Board on whether
5 or not the land is eligible to be the subject of a Land eConservation eContract.

6 Section 3065. Notice of Intent to Contract.

7 The Clerk of the Board of Supervisors shall give written notice to any city within the County of its intention
8 to consider a Contract which includes land within one mile of the exterior boundaries of that city. Such
9 notice shall be given at least 30 days prior to the time the Board of Supervisors intends to consider the
10 execution of such a eContract.

11 ~~Section 306. Term of Contract.~~

12 ~~Each contract shall be for an initial term of no less than 10 years. Each contract shall provide that on the~~
13 ~~anniversary date of the contract or such other annual date as specified by the contract a year shall be added~~
14 ~~automatically to the initial term unless notice of nonrenewal is given as provided by Section 401 of these~~

15 ~~Rules.~~ Section 307.

Findings for Land Conservation Contracts.

16 (1) The Contract provides for the exclusion of uses other than agricultural, and those uses compatible
17 with agricultural uses, for the duration of the Contract.

18 (2) The Contract is binding upon, and inure to the benefit of, all successors in interest of the owner.

19 (3) The Contract is for an initial term of no less than 10 years.

20 (4) The Contract provides that, on the anniversary date of the Contract or such other annual date as
21 specified by the Contract, a year shall be added automatically to the initial term unless notice of
22 nonrenewal is given as provided by Section 401 of these Rules.

23 ~~(3)~~

24 Section 3087. Recording of Land Conservation Contract.

25 No later than 20 days after the County enters into a Contract with a landowner pursuant to these Rules, the
26 Clerk of the Board of Supervisors shall record with the County Recorder a copy of the Contract, which
27 shall describe the land subject thereto, together with a reference to the map showing the location of the
28

1 agricultural preserve in which the property lies. From and after the time of such recordation, such Cecontract
2 shall impart such notice thereof to all persons as is afforded by the recording laws of the State of California.

3 DIVISION IV

4 NOTICE OF NONRENEWAL

5 Section 401. Notice of Nonrenewal.

6 If either the landowner or the County desires in any year not to renew the eCcontract, that party shall serve
7 written notice of nonrenewal of the Cecontract upon the other party in advance of the annual renewal date
8 of the Cecontract. Unless such written notice is served by the landowner at least 90 days prior to the renewal
9 date or by the County at least 60 days prior to the renewal date, the Cecontract shall be considered renewed
10 as provided in Section 306 of these Rules. Upon receipt by the owner of a notice from the County of
11 nonrenewal, the owner may make a written protest of the notice of nonrenewal. The County may, at any
12 time prior to the renewal date, withdraw the notice of nonrenewal. Unless authorized by the Board to serve
13 a notice of nonrenewal on a portion of the owner's land within an individual agricultural preserve, the notice
14 of nonrenewal shall be for nonrenewal of the Cecontract for all of the owner's land within an individual
15 preserve.

16 Section 402. Notice of Nonrenewal on a Portion of an Owner's Land within an Agricultural Preserve.

17 Upon request by the owner, the Board may authorize the owner to serve a notice of nonrenewal on a portion
18 of the land under a Cecontract.

19 Section 403. Form for Notice of Nonrenewal.

20 A notice of nonrenewal by the owner shall be submitted on forms provided by the Planning Department.
21 When the landowner is a successor in the interest to the owner who executed the Cecontract, the notice of
22 nonrenewal shall be accompanied by proof of ownership, such as a copy of the deed. The notice of
23 nonrenewal shall be submitted accompanied by the filing fee set forth in Section 706 of these Rules.

24 Section 404. Term Following Notice of Nonrenewal.

25 If the County or the landowner serves notice of intent in any year not to renew the Cecontract, the existing
26 Cecontract shall remain in effect for the balance of the period remaining since the original execution or the
27 last renewal of the Cecontract, as the case may be.

1 DIVISION V

2 DISESTABLISHMENT AND DIMINISHMENT OF AGRICULTURAL PRESERVES AND
3 CANCELLATION OF CONTRACTS

4 Section 501. Disestablishment or Diminishment of Agricultural Preserve.

5 Any landowner or group of landowners may initiate an application to terminate or diminish the size of a
6 preserve.

7 Section 502. Land Ineligible for Removal from Preserve.

8 No land for which a Land eConservation eContract has been executed shall be removed from an agricultural
9 preserve unless the eContract for the land is also cancelled.

10 Section 503. Contents of Application for Disestablishments or Diminishments.

11 The Planning Department shall provide forms on which applications for disestablishments or diminishments
12 are to be made. An application, to be complete, must contain the following information:

- 13 (1) The applicant's name, ~~of the applicant and his~~ address, and telephone number. If the applicant has
14 a representative, the name, address and telephone number of the representative.
- 15 (2) A statement setting forth whether the basis of the application is for the disestablishment or the
16 diminishment of an agricultural preserve.
- 17 (3) The name and map number of the affected agricultural preserve.
- 18 (4) A legal description of the exterior boundaries of the affected property.
- 19 (5) The names and addresses of the owners of the land involved in this application.
- 20 (6) The acreages and assessment numbers of the land involved in the application.
- 21 (7) A statement as to whether a notice of nonrenewal has been served on the land involved in the
22 application and the date of the notice of nonrenewal.
- 23 (8) When the landowner is a successor in interest to the owner who executed the Contract with the
24 County, the application for disestablishment or diminishment shall be accompanied by proof of
25 ownership, such as a copy of the deed.
- 26 (9) A Petition for Cancellation of Contract.

1 (10) A map of the land affected by the application showing the properties belonging to the separate
2 ownerships.

3 (11) A non-refundable fee as set forth in Section 706 of these Rules for the application.

4 (12) An Environmental Assessment Form and any additional filing fees as may be appropriate.

5 Section 504. Petition for Cancellation of Contract.

6 The Petition for Cancellation of Contract is a petition of an owner to the Board for cancellation of any
7 Contract as to all or part of the subject land, which shall be filed with the application for disestablishment
8 or diminishment of an agricultural preserve. A petition for cancellation, to be complete, must contain the
9 following information:

10 (1) A statement requesting the Board to cancel the Land Conservation Contract, listing the preserve
11 name, map number, and the instrument number of the Contract and the date it was recorded and
12 signed by the owner or one of the owners authorized to act on behalf of all the owners of the subject
13 land. In the case of one owner authorized to act in-on behalf of all the owners, a copy of that
14 authorization shall be attached to the petition for cancellation.

15 (2) The names and addresses of all record owners of the property proposed for deletion from Land
16 Conservation Contracts, including the names and addresses of all persons holding a mortgage or
17 beneficial interest in the property.

18 (3) A complete legal description of the boundaries of the petitioner's property as shown in the deed or
19 title insurance policy.

20 (4) A statement outlining the proposed alternative land use for this property.

21 (5) Any written evidence establishing the lack of proximate noncontracted property which is both
22 available and suitable for the proposed alternative land use.

23 (6) Required property owners' notification information.

24 A petition for cancellation that does not contain the above information shall be returned by the Planning
25 Director along with the application as being incomplete.

26 Section 505. Proposed Alternative Land Use.

1 The landowner's petition for cancellation shall be accompanied by a proposal for a specified alternative use
2 of the land. The proposal shall be accompanied by all required applications for these alternative uses and
3 applicable fees. Forms for these alternative uses of land shall be provided by the Planning Department.

4 A petition for cancellation not accompanied by applications for the proposed alternative uses of land and
5 applicable fees shall be returned by the Planning Director along with the application as being incomplete.

6 Section 506. Report of the Planning Director.

7 After the filing of a completed application, attached petition for cancellation, and applications for proposed
8 alternative uses of land, the Planning Director shall prepare a report on the application for the Board. The
9 report shall contain the following:

- 10 (1) The report of the ~~Comprehensive Agricultural Preserve Technical Advisory Committee~~ CAPTAC.
- 11 (2) A statement as to whether or not the application is consistent with the ~~g~~ General p ~~Plan~~.
- 12 (3) A recommended motion regarding the application to disestablish or diminish the agricultural
13 preserve.
- 14 (4) A legal description of the exterior boundaries of the land to be removed from ~~agricultural preserve~~ a
15 Land Conservation e ~~Contract~~.
- 16 (5) A map showing the location and boundaries of the land to be removed from ~~a agricultural~~
17 ~~preserve~~ Land Conservation e ~~Contract~~.

18 The report of the Planning Director shall be submitted to the Board in conjunction with the proposed
19 alternative uses of land. The Board will not terminate or remove land from a preserve until it has received
20 the report of the Planning Director.

21 Section 507. Hearing and Notice for Disestablishment or Diminishment.

22 Following the receipt of the report from the Planning Director, the Clerk of the Board shall set the date and
23 time for public hearing on the application.

24 Notice of the proposed disestablishment or diminishment and proposed cancellation of a C ~~contract~~ shall be
25 furnished by the Board to the affected C ~~contract~~ landowner(s) by certified mail directed to him/her at ~~his~~
26 the last known address to the Board.

1 Written Notice of the proposal to disestablish or alter the boundary and date of the hearing shall be
2 furnished to the owner of the land by certified mail at his/her latest address. Notice shall also be published
3 pursuant to Section 6061 of the Government Code and shall be furnished by first-class mail to each owner
4 of land under Contract, any portion of which is situated within one mile of the exterior boundary of the land
5 to be removed from the preserve. In addition, written notice shall be given mailed to the Local Agency
6 Formation Commission, to every city within the County within one mile of the exterior boundaries of the
7 preserve, to the Director of the Department of Conservation, to the State Director of the Department of
8 Food and Agriculture, and Conservation, to the Agricultural Commissioner, the U.S.D.A. Soil Conservation
9 Service, the University of California – Cooperative Extension County of Riverside, and the County
10 Assessor and to every owner of land under contract, and any portion of which is situated within the same
11 agricultural preserve and within one mile of the exterior boundary of the land upon which the contract is
12 proposed to be cancelled.

13 Section 508. Grounds Findings for Cancellation of a Contract.

14 The Board may grant tentative approval for cancellation of a Contract only if it makes one of the following
15 findings:

- 16 (1) That the cancellation is consistent with the purposes of the Land Conservation Act of 1965; or
- 17 (2) That cancellation is in the public interest.

18 For the purposes of this section, the uneconomic character of an existing agricultural use shall not by itself
19 be sufficient reason for cancellation of the eContract. The uneconomic character of an existing use may be
20 considered only if there is no other reasonable or comparable agricultural use to which the land may be put.

21 Section 509. Findings for Cancellation Being Consistent with the Land Conservation Act of 1965.

22 For purposes of finding (1) of Section 508 of these Rules, cancellation of a eContract shall be consistent
23 with the purposes of the Land Conservation Act of 1965 only if the Board makes all of the following
24 findings:

- 25 (1) That the cancellation is for land on which a notice of nonrenewal has been served pursuant to Section
26 401 of these Rules and Government Code sSection 51245.
- 27 (2) That cancellation is not likely to result in the removal of adjacent lands from agricultural use.

1 (3) That cancellation is for an alternative use which is consistent with the applicable provisions of the
2 County General Plan.

3 (4) That cancellation will not result in discontinuous patterns of urban development.

4 (5) That there is no proximate noncontracted land which is both available and suitable for the use to
5 which it is proposed the contracted land be put, or, that development of the contracted land would
6 provide more contiguous patterns of urban development than development of proximate
7 noncontracted land.

8 Section 510. Findings for Cancellation Being in the Public Interest.

9 For purposes of finding (2) of Section 508 of these Rules, cancellation of a Contract shall be in the public
10 interest only if the Board makes the following findings:

11 (1) That other public concerns substantially outweigh the objectives of the Land Conservation Act of
12 1965; and

13 (2) That there is no proximate noncontracted land which is both available and suitable for the use to
14 which it is proposed the contracted land be put, or, that development of the contracted land would
15 provide more contiguous patterns of urban development than development of proximate
16 noncontracted land.

17 Section 511. Certificate of Tentative Cancellation.

18 (1) Upon tentative approval of a petition accompanied by a proposal for a specified alternative use of
19 the land, the Clerk of the Board shall record in the Office of the County Recorder a certificate of
20 tentative cancellation, which shall set forth the name of the landowner requesting the cancellation,
21 the fact that a certificate of cancellation of Contract will be issued and recorded at such time as
22 specified conditions and contingencies are satisfied, a description of the conditions and
23 contingencies which must be satisfied, and a legal description of the property. Conditions to be
24 satisfied shall include payment in full of the amount of the fee computed under the provisions of
25 Sections ~~513-514~~ 514 and 5145 of these Rules, together with a statement that, unless the fee is paid, or
26 a certificate of cancellation of Contract is issued within one year from the date of the recording of
27 the certificate of tentative cancellation, such fee shall be recomputed as of the date of notice
28

1 described in paragraph (2) of this section. Any provisions related to the waiver of such fee or portion
2 thereof shall be treated in the manner provided for in the certificate of tentative cancellation.
3 Contingencies to be satisfied shall include a requirement that the landowner obtain all permits
4 necessary to commence the project. The Board may, at the request of the landowner, amend a
5 tentatively approved specified alternative use if it finds that such amendment is consistent with the
6 findings made pursuant to Section 508 of the Rules.

7 (2) The landowner shall notify the Board when ~~he has satisfied~~ the conditions and contingencies
8 enumerated in the certificate of tentative cancellation have been satisfied. Within 30 days of receipt
9 of such notice, and upon a determination that the conditions and contingencies have been satisfied,
10 the Board shall execute a certificate of final cancellation of Contract and cause the same to be
11 recorded.

12 (3) If the landowner has been unable to satisfy the conditions and contingencies enumerated in the
13 certificate of tentative cancellation, the landowner shall notify the Board of the particular conditions
14 or contingencies ~~h~~ethe landowner is unable to satisfy. Within 30 days of receipt of such notice, and
15 upon a determination that the landowner is unable to satisfy the conditions and contingencies listed,
16 the Board shall execute a certificate of withdrawal of tentative approval of a cancellation of
17 Contract and cause the same to recorded. However, the landowner shall not be entitled to the refund
18 of any cancellation fee paid.

19 Section 512. Findings for Diminishment or Disestablishment.

20 (1) The Contract has been cancelled or expired for the area requesting diminishment or disestablishment
21 of the preserve.

22 (2) The diminishment or disestablishment is in the interest of the public and the State.

23 (3) The diminishment or disestablishment is for an alternative use that is consistent with the General
24 Plan and Ordinance No. 348, including Article II.

25 (4) The identified alternative use is compatible with the surrounding area.

26 Section 5132. Decision of the Board for Disestablishment.

1 Following the close of the public hearing, the Board shall render its decision. A decision to diminish or
2 terminate an agricultural preserve shall be made as follows:

- 3 (1) If none of the land is subject to an executed ~~Land~~ ~~e~~Conservation ~~C~~ontract, the decision shall be
4 final upon the adoption of a resolution by the Board.
- 5 (2) If some or all of the land is subject to an executed ~~land conservation e~~Contract, the tentative approval
6 of the disestablishment or diminishment shall be by minute order and the matter shall be referred
7 back to the Planning Department for the preparation of the Certificate of Tentative Cancellation in
8 accordance with the provisions of Section 511 of these Rules for adoption by the Board, or for
9 preparation of a Certificate of Final Cancellation for adoption by the Board if all conditions of
10 approval have been completed by the applicant. Adoption of the Certificate of Tentative
11 Cancellation or the Certificate of Final Cancellation shall be by resolution.

12 Section 5143. Cancellation Fee.

- 13 (1) Prior to any action by the Board giving tentative approval to the cancellation of any ~~C~~ontract, the
14 County Assessor shall determine the ~~full cash~~current fair market value of the land as though it were
15 free of the contractual restriction. The Assessor shall certify to the Board the cancellation valuation
16 of the land for the purpose of determining the cancellation fee.
- 17 (2) Prior to giving tentative approval to the cancellation of any ~~e~~Contract, the Board shall determine
18 and certify to the County Auditor the amount of the cancellation fee which the landowner must pay
19 the County Treasurer as deferred taxes upon cancellation. That fee shall be an amount equal to 12 ~~1~~¹/₂
20 percent of the cancellation valuation of the property.
- 21 (3) If they find that it is in the public interest to do so, the Board may waive any such payment or any
22 portion thereof, or may extend the time for making such payment or a portion thereof contingent
23 upon the future use made of the land and its economic return to the landowner for a period of time
24 not to exceed the unexpired period of the ~~e~~Contract, had it not been canceled, provided the
25 requirements set forth in Government Code ~~s~~Section 51283 are met.

26 Deferred taxes collected under the provisions of this section shall be transmitted by the County Treasurer
27 to the State Controller in accordance with the requirements of Government Code ~~s~~Section 51283(d).

1 Section 5154. Additional Deferred Taxes.

2 In addition to the fee provided for in Section 5143 of these Rules, the Board shall require the payment of
3 additional deferred taxes, determined according to the provisions of Government Code sSection 51283.1.

4 The additional deferred taxes shall be collected in the same manner and at the same time as the cancellation
5 fee provided for in Section 5143 of these Rules.

6 DIVISION VI-

7 COMPREHENSIVE AGRICULTURAL PRESERVE

8 TECHNICAL ADVISORY COMMITTEE

9 Section 601. Function of the Committee.

10 The function of the ~~Comprehensive Agricultural Preserve Technical Advisory Committee~~ (CAPTAC) is to
11 review and prepare a report on applications involving agricultural preserves, and to advise the Board on the
12 administration of the agricultural preserves in the County and on any matters relating to Ceontracts entered
13 into pursuant to these Rules.

14 Section 602. Composition of the Committee.

15 The ~~Comprehensive Agricultural Preserve Technical Advisory Committee~~ CAPTAC shall be composed of
16 the ~~Planning Director, who shall be Chairman, the County's Open Space Resources Committee, and on~~
17 ~~representative of each of the following:~~

18 ~~(1) Agricultural Commissioner.~~

19 ~~(2) U.S.D.A. Soil Conservation Service.~~

20 ~~(3) University of California—Cooperative Extension, County of Riverside.~~

21 County Assessor, members of the Planning Commission. The Chair of the Planning Commission shall act
22 as Chair of the CAPTAC.

23 The Office of County Counsel shall provide legal advice to the CAPTAC upon request.

24 Section 603. Transmittal of Documents.

25 Upon filing of an application involving an agricultural preserve, the Planning Director shall prepare and
26 transmit to each member of the ~~Comprehensive Agricultural Preserve Technical Advisory~~

1 ~~Committee~~CAPTAC a copy of the application and any accompanying owner petitions, a vicinity map, and
2 a proposed boundary map.

3 Section 604. Meetings.

4 The ~~Comprehensive Agricultural Preserve Technical Advisory Committee~~CAPTAC shall meet at the call
5 of the Planning Director.

6 Section 605. Contents of Report.

7 The report of the ~~Comprehensive Agricultural Preserve Technical Advisory Committee~~CAPTAC shall be
8 prepared by the Planning Director and shall contain:

- 9 (1) A statement as to whether or not the ~~Comprehensive Agricultural Preserve Technical Advisory~~
10 ~~Committee~~CAPTAC recommends approval of the application and the reasons for said
11 recommendation.
- 12 (2) Any recommendation for modification of the application.
- 13 (3) If the application submitted is to establish a preserve or to add lands to an existing preserve, the
14 report shall also include the ~~Technical Advisory Committee's~~CAPTAC's factual findings as to the
15 following:
 - 16 (a) Present zoning of lands proposed to be included in the preserve and surrounding land.
 - 17 (b) Present land use of land proposed to be included in the preserve and surrounding properties.
 - 18 (c) Whether or not the land proposed to be included in the preserve is presently employed in an
19 agricultural use and, if so, the agricultural commodities grown thereon.
 - 20 (d) The agricultural commodities that may be grown on the property proposed to be included in the
21 preserve taking into consideration the said type, water availability and other conditions that may
22 affect the growing of crops.
 - 23 (e) Whether or not the existing or proposed agricultural use of the land constitutes or could
24 constitute a nuisance, public or private, to the surrounding lands.
 - 25 (f) The current assessed valuation and the estimated reduction in assessed valuation if the real
26 property proposed to be included in the preserve enters into a Land eConservation eContract.

1 (g) A list of any cities that are within one mile of the proposed boundaries of the preserve, and any
2 comments expressed by such a city on the application.

3 (h) The existence of any historic or scenic value to the lands proposed to be included in the preserve.

4 (i) The acreages of each land owner included in the application and the total acreage.

5 (4) If the application submitted is to disestablish a preserve or to delete lands from a preserve, the report
6 shall also include the ~~Technical Advisory Committee's~~CAPTAC's findings and conclusions as to
7 the following:

8 (a) Whether a notice of nonrenewal has been served pursuant to the Williamson Act and Section
9 401 of these Rules.

10 (b) Whether the cancellation is likely to result in the removal of adjacent lands from agricultural
11 use.

12 (c) Whether the proposed alternative use of land is consistent with the provisions of the County
13 General Plan.

14 (d) Whether the cancellation will result in discontinuous patterns of urban development.

15 (e) Whether there is proximate noncontracted land which is both available and suitable for the use
16 to which it is proposed the contracted land be put, or, whether the development of the contracted
17 land would provide more contiguous patterns of urban development than development of
18 proximate noncontracted land.

19 (5) Any public comments received on the application.

20 DIVISION VII

21 MISCELLANEOUS PROVISIONS

22 Section 701. Filing of Map and Resolution.

23 Whenever an agricultural preserve is established, and so long as it shall be in effect, a map of such
24 agricultural preserve and the resolution under which the preserve was established shall be filed and kept
25 current with the County Recorder.

26 Section 702. Filing of Map with State Director of Food and Agriculture.

1 On or before the first day of September of each year, the Planning Director shall file with the State Director
2 of Food and Agriculture a map of the County designating thereon all agricultural preserves in existence at
3 the end of the preceding fiscal year.

4 Section 703. Rescission of Contract and Simultaneous Entry into New Contract.

5 Notwithstanding any other provision of these Rules, the parties may by their mutual agreement rescind a
6 Contract in order simultaneously to enter into a new Contract pursuant to these Rules which new
7 Contract would enforceably restrict the same property for an initial term at least as long as the unexpired
8 term of the Contract being so rescinded but not less than 10 years. Such action may be taken
9 notwithstanding the prior serving of a notice of nonrenewal relative to the former Contract.

10 Section 704. Minimum Lot Sizes Within Agricultural Preserves.

11 Whenever a division of land is proposed within an agricultural preserve, the total number of lots shall be
12 determined pursuant to the General Plan for Riverside County and any applicable zoning classification,
13 whichever is more restrictive. In any event, no parcel shall be created that is below the minimum size of 10
14 acres.

15 Section 705. Filing Period for Agricultural Preserves.

16 No application to establish, terminate, enlarge or diminish an agricultural preserve shall be received on or
17 after November 1 of any year until March 1 of the following year.

18 Section 706. Fees.

19 The fee for an application to create a preserve or add lands to a preserve shall be \$400 plus \$40 for each
20 owner's petition filed with the application. There will also be a \$25 eContract fee if the application is
21 approved. The fee for an application to terminate or remove lands from a preserve shall be \$400. The
22 appropriate fee shall accompany the application and is not refundable. There shall be no fee for an
23 application initiated by the Board of Supervisors, provided, however, that the \$40 fee for each Owner's
24 Petition shall be payable with the Contract fee when the property is proposed to be placed under a Land
25 Conservation Contract. The fee for a Notice of Nonrenewal shall be \$25.

26 Section 707. Effective Date.

1 These Rules and Regulations shall apply to all applications filed on or after ~~March 1, 1985~~ _____,
2 2026. All applications filed prior to ~~March 1, 1985~~ that date, and not finally acted upon by that date, shall
3 not be finally determined until the information required by these amended Rules and Regulations have been
4 supplied.

5
6 ~~Dated: December 18, 1984~~

1 Section 102. Definitions.

2 As used in these Rules, unless otherwise apparent from the context:

- 3 (a) “Agricultural commodity” means any and all plant and animal products produced in Riverside
4 County for commercial purposes.
- 5 (b) “Agricultural use” means use of land for the purpose of producing an agricultural commodity for
6 commercial purposes.
- 7 (c) “Agricultural preserve” or “preserve” means an area devoted to those agricultural or other uses
8 allowed under the provisions of the Land Conservation Act of 1965, and those compatible uses as
9 designated and established by the Board after notice and hearing.
- 10 (d) “Board” means the Board of Supervisors of Riverside County.
- 11 (e) “CAPTAC” means the Comprehensive Agricultural Preserve Technical Advisory Committee,
12 which reviews and prepares a report on applications involving agricultural preserves and advises
13 the Board on the administration of the agricultural preserves in the County.
- 14 (f) “Compatible use” is any use so defined in County Ordinance No. 509, as may be amended from
15 time to time.
- 16 (g) “Contract” means a Land Conservation Contract executed between the County and the landowner
17 in accordance with these Rules.
- 18 (h) “County” means the County of Riverside, State of California.
- 19 (i) “Land Conservation Act of 1965” means those provisions of the Government Code commencing
20 with Section 51200, as may be amended from time to time, which pertain to agricultural land and
21 which is also known as the Williamson Act.
- 22 (j) “Owner’s Petition” means the verified petition of an owner of each parcel of land listed in an
23 application for the creation of a preserve or the addition of land to an existing preserve.
- 24 (k) “Proximate, noncontracted land” means land not restricted by Contract pursuant to these Rules,
25 which is sufficiently close to land which is so restricted that it can serve as a practical alternative
26 for the use which is proposed for the restricted land.
- 27 (l) “Rules” means these “Rules and Regulations Governing Agricultural Preserves in Riverside
28 County.”

1 (m)“Suitable” for the proposed use as used in Sections 510 and 511 of these Rules, means that salient
2 features of the proposed use can be served by land not restricted by Contract pursuant to these Rules.
3 Such nonrestricted land may be a single parcel or may be a combination of contiguous or
4 discontinuous parcels.

5 DIVISION II

6 ESTABLISHMENT AND ENLARGEMENT OF AGRICULTURAL PRESERVES

7 Section 201. Agricultural Preserve Application.

8 Any landowner or group of landowners may initiate an application to the Board to establish an agricultural
9 preserve or to enlarge the size of the preserve. An application to establish a preserve or to enlarge a preserve
10 may also be initiated by the Board but shall not be acted upon until the Owner’s Petition for each owner of
11 any parcel of land included within the application has been filed by the owner.

12 Section 202. Contents of Applications for Establishments or Enlargements.

13 The Planning Department shall provide forms on which applications for establishments or enlargements are
14 to be made. An application, to be complete, must contain the following information:

- 15 (1) The applicant’s name, address, and telephone number. If the applicant has a representative, the
16 name, address and telephone number of the representative.
- 17 (2) A statement setting forth whether the basis of the application is the establishment or enlargement of
18 an agricultural preserve.
- 19 (3) A legal description of the exterior boundaries of the land to be included within the agricultural
20 preserve.
- 21 (4) The names and addresses of the owners of the land involved in the application.
- 22 (5) The acreage and assessment numbers of the land involved in the application.
- 23 (6) An Owner's Petition for each separate ownership of land involved in the application. Spouses, a
24 partnership, a corporation, a trust, or other joint ownership shall be considered as one owner.
- 25 (7) A map of the land affected by the application showing the properties belonging to the separate
26 ownerships.
- 27 (8) A nonrefundable filing fee as set forth in Section 706 of these Rules for each application and for
28 each Owner's Petition.

1 Section 203. Owner's Petition for Establishments or Enlargements.

2 The Owner's Petition is the verified petition of an owner of each parcel of land listed in an application for
3 the creation of a preserve or the addition of land to an existing preserve which shall be filed with the
4 application. The petition shall be on forms provided by the Planning Department. A petition, to be complete,
5 must contain the following information:

- 6 (1) The name of the owner petitioner.
- 7 (2) The names and addresses of all record owners of the property proposed to be included within a
8 preserve, including the names and addresses of all persons holding a mortgage or beneficial interest
9 under a trust deed in the property.
- 10 (3) If owner is a partnership or a corporation, a notarized statement from said partnership or corporation
11 indicating that the petitioner is authorized to act on behalf of the partnership or corporation, shall be
12 included.
- 13 (4) A complete legal description of boundaries of the petitioner's property as shown in the deed or title
14 insurance policy.
- 15 (5) A statement as to the present use of the land and any agricultural commodities produced on the land.
- 16 (6) The acreage amount and the assessment number of the property proposed to be included in the
17 preserve.

18 A petition that does not contain the above information shall be returned by the Planning Director, along
19 with the application it is part of, as being incomplete.

20 Section 204. Report of the Planning Director.

21 After the filing of a completed application and any attached Owner's Petition(s), the Planning Director shall
22 prepare a report on the application for the Board. The report shall contain the following:

- 23 (1) The report of the CAPTAC.
- 24 (2) A statement as to whether or not the application is consistent with the General Plan.
- 25 (3) A map showing the location and boundaries of any preserve proposed to be established or any land
26 proposed to be added to an established preserve.
- 27 (4) A recommended motion regarding the application to establish or enlarge an agricultural preserve.

1 (5) A legal description of the exterior boundaries of the land to be included within the agricultural
2 preserve.

3 The report of the Planning Director shall be submitted to the Board within 60 days after a completed
4 application is filed with the Planning Director.

5 The Board will not establish a preserve, or add lands to an existing preserve, until it has received the report
6 of the Planning Director or until the time within which the Planning Director has to report has elapsed.

7 Section 205. Hearing and Notice for Establishment or Enlargement.

8 Following the receipt of the report from the Planning Director, or the elapse of the time within which the
9 report should have been received, the Clerk of the Board shall set the date and time for public hearing on
10 the application.

11 Notice of the hearing shall be published pursuant to Section 6061 of the Government Code and shall include
12 a legal description, or the assessor's parcel number, of the land which is proposed to be included within the
13 preserve.

14 Written notice, at least two weeks before the hearing, shall be given to the Local Agency Formation
15 Commission and to every city within one mile of the exterior boundaries of the preserve. Written notice
16 shall also be sent to the applicant, the applicant's designated representative, to every owner of land to be
17 included within the preserve, to the Agricultural Commissioner, the U.S.D.A. Soil Conservation Service,
18 the University of California – Cooperative Extension County of Riverside, and the County Assessor.

19 Section 206. Decision of the Board to Establish or Enlarge a Preserve.

20 Following the close of the public hearing, the Board shall render its decision.

21 (1) A decision to establish or enlarge an agricultural preserve shall be a tentative approval. The Planning
22 Department shall give notice to all owners of real property within the proposed preserve that they
23 have 90 days after the date of the Board's tentative approval to file all executed Contracts with the
24 Planning Department. The final approval establishing or enlarging a preserve shall be approved by
25 Board resolution. If Contracts are not executed or returned within 90 days after the Board's tentative
26 approval, the matter shall be returned to the Board agenda for further decision by the Board.

27 (2) A decision to deny the establishment or enlargement of an agricultural preserve shall be final at the
28 time of initial decision and shall be by minute order of the Board.

1 Section 207. Findings for the Establishment of a Preserve

- 2 (1) The land is engaged in an agricultural use, a compatible use, an open space use, a recreational use,
3 a combination of any of the aforementioned uses, or any other use delineated in the Land
4 Conservation Act of 1965.
- 5 (2) The land does not completely surround land devoted to an agricultural use or compatible use which
6 is omitted from the preserve.
- 7 (3) The land contains at least 100 acres of contiguous parcels of land; however, in order to meet this
8 requirement, two or more parcels may be combined if they are contiguous or they are in common
9 ownership.
- 10 (4) The preserve is consistent with the General Plan.
- 11 (5) The land has agricultural zoning as defined in Ordinance No. 348 or for which the applicant has
12 filed a request for a change of zone to such zoning. If a request for a change of zone is necessary, a
13 finding shall be made that it was filed and processed concurrently with the agricultural preserve
14 application and that an environmental assessment was prepared for the change of zone request.

15 Section 208. Findings for the Enlargement of a Preserve.

- 16 (1) The same findings shall be made as for the establishment of a Preserve, plus a finding shall be made
17 that the enlargement consists of no less than 10 acres contiguous to the existing Preserve.

18 DIVISION III

19 LAND CONSERVATION CONTRACTS

20 Section 301. Lands Eligible for Contracts.

21 Only those lands designated by the County as agricultural preserves, and located within an approved or
22 tentatively approved agricultural preserve and devoted to agricultural uses, are eligible to be the subject of
23 a Land Conservation Contract between the County and the landowner.

24 Section 302. Request for Entry into Contract.

25 Any owner of land located within an approved or tentatively approved preserve may request to enter into a
26 Contract with the County of Riverside on forms provided by the Planning Department. A filing fee as set
27 forth in Section 706 of these Rules shall accompany the filing of the application. The application shall state
28 whether or not the land is presently devoted to an agricultural use and, if so, what that use is.

1 Section 303. Form of Contract and Conditions.

2 The conditions of the Contract shall be similar for all preserves and shall be on forms supplied by the County
3 and adopted by the Board of Supervisors. However, there may be differences within the Contracts for
4 preserves so long as such differences are related to differences in location and characteristics of the land
5 and comply with these Rules and the requirements of the Williamson Act.

6 Section 304. Dividing Land Under Contract.

7 Whenever land under Contract is divided, the owner of any parcel may exercise, independent of any other
8 owner of a portion of the divided land, any of the rights of the owner in the original Contract, including the
9 right to give notice of nonrenewal and to petition for cancellation. The effect of any such action by the
10 owner of a parcel created by the division of land under Contract shall not be imputed to the owners of the
11 remaining parcels and shall have no effect on the Contract as it applies to the remaining parcels of the
12 divided land.

13 Section 305. Report to Board.

14 Prior to the Contract being signed by the Board, the Planning Director shall report to the Board on whether
15 or not the land is eligible to be the subject of a Land Conservation Contract.

16 Section 306. Notice of Intent to Contract.

17 The Clerk of the Board of Supervisors shall give written notice to any city within the County of its intention
18 to consider a Contract which includes land within one mile of the exterior boundaries of that city. Such
19 notice shall be given at least 30 days prior to the time the Board of Supervisors intends to consider the
20 execution of such a Contract.

21 Section 307. Findings for Land Conservation Contracts.

- 22 (1) The Contract provides for the exclusion of uses other than agricultural, and those uses compatible
23 with agricultural uses, for the duration of the Contract.
- 24 (2) The Contract is binding upon, and inure to the benefit of, all successors in interest of the owner.
- 25 (3) The Contract is for an initial term of no less than 10 years.
- 26 (4) The Contract provides that, on the anniversary date of the Contract or such other annual date as
27 specified by the Contract, a year shall be added automatically to the initial term unless notice of
28 nonrenewal is given as provided by Section 401 of these Rules.

1 Section 308. Recording of Land Conservation Contract.

2 No later than 20 days after the County enters into a Contract with a landowner pursuant to these Rules, the
3 Clerk of the Board of Supervisors shall record with the County Recorder a copy of the Contract, which shall
4 describe the land subject thereto, together with a reference to the map showing the location of the
5 agricultural preserve in which the property lies. From and after the time of such recordation, such Contract
6 shall impart such notice thereof to all persons as is afforded by the recording laws of the State of California.

7 DIVISION IV

8 NOTICE OF NONRENEWAL

9 Section 401. Notice of Nonrenewal.

10 If either the landowner or the County desires in any year not to renew the Contract, that party shall serve
11 written notice of nonrenewal of the Contract upon the other party in advance of the annual renewal date of
12 the Contract. Unless such written notice is served by the landowner at least 90 days prior to the renewal
13 date or by the County at least 60 days prior to the renewal date, the Contract shall be considered renewed
14 as provided in Section 306 of these Rules. Upon receipt by the owner of a notice from the County of
15 nonrenewal, the owner may make a written protest of the notice of nonrenewal. The County may, at any
16 time prior to the renewal date, withdraw the notice of nonrenewal. Unless authorized by the Board to serve
17 a notice of nonrenewal on a portion of the owner's land within an individual agricultural preserve, the notice
18 of nonrenewal shall be for nonrenewal of the Contract for all of the owner's land within an individual
19 preserve.

20 Section 402. Notice of Nonrenewal on a Portion of an Owner's Land within an Agricultural Preserve.

21 Upon request by the owner, the Board may authorize the owner to serve a notice of nonrenewal on a portion
22 of the land under a Contract.

23 Section 403. Form for Notice of Nonrenewal.

24 A notice of nonrenewal by the owner shall be submitted on forms provided by the Planning Department.
25 When the landowner is a successor in the interest to the owner who executed the Contract, the notice of
26 nonrenewal shall be accompanied by proof of ownership, such as a copy of the deed. The notice of
27 nonrenewal shall be submitted accompanied by the filing fee set forth in Section 706 of these Rules.

28 ///

1 Section 404. Term Following Notice of Nonrenewal.

2 If the County or the landowner serves notice of intent in any year not to renew the Contract, the existing
3 Contract shall remain in effect for the balance of the period remaining since the original execution or the
4 last renewal of the Contract, as the case may be.

5 DIVISION V

6 DISESTABLISHMENT AND DIMINISHMENT OF AGRICULTURAL PRESERVES AND
7 CANCELLATION OF CONTRACTS

8 Section 501. Disestablishment or Diminishment of Agricultural Preserve.

9 Any landowner or group of landowners may initiate an application to terminate or diminish the size of a
10 preserve.

11 Section 502. Land Ineligible for Removal from Preserve.

12 No land for which a Land Conservation Contract has been executed shall be removed from an agricultural
13 preserve unless the Contract for the land is also cancelled.

14 Section 503. Contents of Application for Disestablishments or Diminishments.

15 The Planning Department shall provide forms on which applications for disestablishments or diminishments
16 are to be made. An application, to be complete, must contain the following information:

- 17 (1) The applicant's name, address, and telephone number. If the applicant has a representative, the
18 name, address and telephone number of the representative.
- 19 (2) A statement setting forth whether the basis of the application is for the disestablishment or the
20 diminishment of an agricultural preserve.
- 21 (3) The name and map number of the affected agricultural preserve.
- 22 (4) A legal description of the exterior boundaries of the affected property.
- 23 (5) The names and addresses of the owners of the land involved in this application.
- 24 (6) The acreages and assessment numbers of the land involved in the application.
- 25 (7) A statement as to whether a notice of nonrenewal has been served on the land involved in the
26 application and the date of the notice of nonrenewal.

27 ///

28 ///

1 (8) When the landowner is a successor in interest to the owner who executed the Contract with the
2 County, the application for disestablishment or diminishment shall be accompanied by proof of
3 ownership, such as a copy of the deed.

4 (9) A Petition for Cancellation of Contract.

5 (10) A map of the land affected by the application showing the properties belonging to the separate
6 ownerships.

7 (11) A non-refundable fee as set forth in Section 706 of these Rules for the application.

8 (12) An Environmental Assessment Form and any additional filing fees as may be appropriate.

9 Section 504. Petition for Cancellation of Contract.

10 The Petition for Cancellation of Contract is a petition of an owner to the Board for cancellation of any
11 Contract as to all or part of the subject land, which shall be filed with the application for disestablishment
12 or diminishment of an agricultural preserve. A petition for cancellation, to be complete, must contain the
13 following information:

14 (1) A statement requesting the Board to cancel the Land Conservation Contract, listing the preserve
15 name, map number, and the instrument number of the Contract and the date it was recorded and
16 signed by the owner or one of the owners authorized to act on behalf of all the owners of the subject
17 land. In the case of one owner authorized to act on behalf of all the owners, a copy of that
18 authorization shall be attached to the petition for cancellation.

19 (2) The names and addresses of all record owners of the property proposed for deletion from Land
20 Conservation Contracts, including the names and addresses of all persons holding a mortgage or
21 beneficial interest in the property.

22 (3) A complete legal description of the boundaries of the petitioner's property as shown in the deed or
23 title insurance policy.

24 (4) A statement outlining the proposed alternative land use for this property.

25 (5) Any written evidence establishing the lack of proximate noncontracted property which is both
26 available and suitable for the proposed alternative land use.

27 (6) Required property owners' notification information.

28

1 (7) A petition for cancellation that does not contain the above information shall be returned by the
2 Planning Director along with the application as being incomplete.

3 Section 505. Proposed Alternative Land Use.

4 The landowner's petition for cancellation shall be accompanied by a proposal for a specified alternative use
5 of the land. The proposal shall be accompanied by all required applications for these alternative uses and
6 applicable fees. Forms for these alternative uses of land shall be provided by the Planning Department.

7 A petition for cancellation not accompanied by applications for the proposed alternative uses of land and
8 applicable fees shall be returned by the Planning Director along with the application as being incomplete.

9 Section 506. Report of the Planning Director.

10 After the filing of a completed application, attached petition for cancellation, and applications for proposed
11 alternative uses of land, the Planning Director shall prepare a report on the application for the Board. The
12 report shall contain the following:

13 (1) The report of the CAPTAC.

14 (2) A statement as to whether or not the application is consistent with the General Plan.

15 (3) A recommended motion regarding the application to disestablish or diminish the agricultural
16 preserve.

17 (4) A legal description of the exterior boundaries of the land to be removed from a Land Conservation
18 Contract.

19 (5) A map showing the location and boundaries of the land to be removed from a Land Conservation
20 Contract.

21 The report of the Planning Director shall be submitted to the Board in conjunction with the proposed
22 alternative uses of land. The Board will not terminate or remove land from a preserve until it has received
23 the report of the Planning Director.

24 Section 507. Hearing and Notice for Disestablishment or Diminishment.

25 Following the receipt of the report from the Planning Director, the Clerk of the Board shall set the date and
26 time for public hearing on the application.

1 Notice of the proposed disestablishment or diminishment and proposed cancellation of a Contract shall be
2 furnished by the Board to the affected Contract landowner(s) by certified mail directed to him/her at the
3 last known address to the Board.

4 Written notice of the proposal to disestablish or alter the boundary and date of the hearing shall be furnished
5 to the owner of the land by certified mail at his/her latest address. Notice shall also be published pursuant
6 to Section 6061 of the Government Code and shall be furnished by first-class mail to each owner of land
7 under Contract, any portion of which is situated within one mile of the exterior boundary of the land to be
8 removed from the preserve. In addition, written notice shall be given to the Local Agency Formation
9 Commission, to every city within the County within one mile of the exterior boundaries of the preserve, to
10 the Director of the Department of Conservation, to the Director of the Department of Food and Agriculture,
11 to the Agricultural Commissioner, the U.S.D.A. Soil Conservation Service, the University of California –
12 Cooperative Extension County of Riverside, and the County Assessor.

13 Section 508. Findings for Cancellation of a Contract.

14 The Board may grant tentative approval for cancellation of a Contract only if it makes one of the following
15 findings:

- 16 (1) That the cancellation is consistent with the purposes of the Land Conservation Act of 1965; or
- 17 (2) That cancellation is in the public interest.

18 For the purposes of this section, the uneconomic character of an existing agricultural use shall not by itself
19 be sufficient reason for cancellation of the Contract. The uneconomic character of an existing use may be
20 considered only if there is no other reasonable or comparable agricultural use to which the land may be put.

21 Section 509. Findings for Cancellation Being Consistent with the Land Conservation Act of 1965.

22 For purposes of finding (1) of Section 508 of these Rules, cancellation of a Contract shall be consistent with
23 the purposes of the Land Conservation Act of 1965 only if the Board makes all of the following findings:

- 24 (1) That the cancellation is for land on which a notice of nonrenewal has been served pursuant to Section
25 401 of these Rules and Government Code section 51245.
- 26 (2) That cancellation is not likely to result in the removal of adjacent lands from agricultural use.
- 27 (3) That cancellation is for an alternative use which is consistent with the applicable provisions of the
28 County General Plan.

1 (4) That cancellation will not result in discontinuous patterns of urban development.

2 (5) That there is no proximate noncontracted land which is both available and suitable for the use to
3 which it is proposed the contracted land be put, or that development of the contracted land would
4 provide more contiguous patterns of urban development than development of proximate
5 noncontracted land.

6 Section 510. Findings for Cancellation Being in the Public Interest.

7 For purposes of finding (2) of Section 508 of these Rules, cancellation of a Contract shall be in the public
8 interest only if the Board makes the following findings:

9 (1) That other public concerns substantially outweigh the objectives of the Land Conservation Act of
10 1965; and

11 (2) That there is no proximate noncontracted land which is both available and suitable for the use to
12 which it is proposed the contracted land be put, or that development of the contracted land would
13 provide more contiguous patterns of urban development than development of proximate
14 noncontracted land.

15 Section 511. Certificate of Tentative Cancellation.

16 (1) Upon tentative approval of a petition accompanied by a proposal for a specified alternative use of
17 the land, the Clerk of the Board shall record in the Office of the County Recorder a certificate of
18 tentative cancellation, which shall set forth the name of the landowner requesting the cancellation,
19 the fact that a certificate of cancellation of Contract will be issued and recorded at such time as
20 specified conditions and contingencies are satisfied, a description of the conditions and
21 contingencies which must be satisfied, and a legal description of the property. Conditions to be
22 satisfied shall include payment in full of the amount of the fee computed under the provisions of
23 Sections 514 and 515 of these Rules, together with a statement that, unless the fee is paid, or a
24 certificate of cancellation of Contract is issued within one year from the date of the recording of the
25 certificate of tentative cancellation, such fee shall be recomputed as of the date of notice described
26 in paragraph (2) of this section. Any provisions related to the waiver of such fee or portion thereof
27 shall be treated in the manner provided for in the certificate of tentative cancellation. Contingencies
28 to be satisfied shall include a requirement that the landowner obtain all permits necessary to

1 commence the project. The Board may, at the request of the landowner, amend a tentatively
2 approved specified alternative use if it finds that such amendment is consistent with the findings
3 made pursuant to Section 508 of the Rules.

4 (2) The landowner shall notify the Board when the conditions and contingencies enumerated in the
5 certificate of tentative cancellation have been satisfied. Within 30 days of receipt of such notice, and
6 upon a determination that the conditions and contingencies have been satisfied, the Board shall
7 execute a certificate of final cancellation of Contract and cause the same to be recorded.

8 (3) If the landowner has been unable to satisfy the conditions and contingencies enumerated in the
9 certificate of tentative cancellation, the landowner shall notify the Board of the particular conditions
10 or contingencies the landowner is unable to satisfy. Within 30 days of receipt of such notice, and
11 upon a determination that the landowner is unable to satisfy the conditions and contingencies listed,
12 the Board shall execute a certificate of withdrawal of tentative approval of a cancellation of Contract
13 and cause the same to be recorded. However, the landowner shall not be entitled to the refund of any
14 cancellation fee paid.

15 Section 512. Findings for Diminishment or Disestablishment.

16 (1) The Contract has been cancelled or expired for the area requesting diminishment or disestablishment
17 of the preserve.

18 (2) The diminishment or disestablishment is in the interest of the public and the State.

19 (3) The diminishment or disestablishment is for an alternative use that is consistent with the General
20 Plan and Ordinance No. 348, including Article II.

21 (4) The identified alternative use is compatible with the surrounding area.

22 Section 513. Decision of the Board for Disestablishment.

23 Following the close of the public hearing, the Board shall render its decision. A decision to diminish or
24 terminate an agricultural preserve shall be made as follows:

25 (1) If none of the land is subject to an executed Land Conservation Contract, the decision shall be final
26 upon the adoption of a resolution by the Board.

27 (2) If some or all of the land is subject to an executed Contract, the tentative approval of the
28 disestablishment or diminishment shall be by minute order and the matter shall be referred back to

1 the Planning Department for the preparation of the Certificate of Tentative Cancellation in
2 accordance with the provisions of Section 511 of these Rules for adoption by the Board, or for
3 preparation of a Certificate of Final Cancellation for adoption by the Board if all conditions of
4 approval have been completed by the applicant. Adoption of the Certificate of Tentative
5 Cancellation or the Certificate of Final Cancellation shall be by resolution.

6 Section 514. Cancellation Fee.

7 (1) Prior to any action by the Board giving tentative approval to the cancellation of any Contract, the
8 County Assessor shall determine the current fair market value of the land as though it were free of
9 the contractual restriction. The Assessor shall certify to the Board the cancellation valuation of the
10 land for the purpose of determining the cancellation fee.

11 (2) Prior to giving tentative approval to the cancellation of any Contract, the Board shall determine and
12 certify to the County Auditor the amount of the cancellation fee which the landowner must pay the
13 County Treasurer as deferred taxes upon cancellation. That fee shall be an amount equal to 12 ½
14 percent of the cancellation valuation of the property.

15 (3) If they find that it is in the public interest to do so, the Board may waive any such payment or any
16 portion thereof, or may extend the time for making such payment or a portion thereof contingent
17 upon the future use made of the land and its economic return to the landowner for a period of time
18 not to exceed the unexpired period of the Contract, had it not been canceled, provided the
19 requirements set forth in Government Code section 51283 are met.

20 Deferred taxes collected under the provisions of this section shall be transmitted by the County Treasurer
21 to the State Controller in accordance with the requirements of Government Code section 51283(d).

22 Section 515. Additional Deferred Taxes.

23 In addition to the fee provided for in Section 514 of these Rules, the Board shall require the payment of
24 additional deferred taxes, determined according to the provisions of Government Code section 51283.1.

25 The additional deferred taxes shall be collected in the same manner and at the same time as the cancellation
26 fee provided for in Section 514 of these Rules.

1 DIVISION VI

2 COMPREHENSIVE AGRICULTURAL PRESERVE

3 TECHNICAL ADVISORY COMMITTEE

4 Section 601. Function of the Committee.

5 The function of the CAPTAC is to review and prepare a report on applications involving agricultural
6 preserves, and to advise the Board on the administration of the agricultural preserves in the County and on
7 any matters relating to Contracts entered into pursuant to these Rules.

8 Section 602. Composition of the Committee.

9 The CAPTAC shall be composed of the members of the Planning Commission. The Chair of the Planning
10 Commission shall act as Chair of the CAPTAC. The Office of County Counsel shall provide legal advice
11 to the CAPTAC upon request.

12 Section 603. Transmittal of Documents.

13 Upon filing of an application involving an agricultural preserve, the Planning Director shall prepare and
14 transmit to each member of the CAPTAC a copy of the application and any accompanying owner petitions,
15 a vicinity map, and a proposed boundary map.

16 Section 604. Meetings.

17 The CAPTAC shall meet at the call of the Planning Director.

18 Section 605. Contents of Report.

19 The report of the CAPTAC shall be prepared by the Planning Director and shall contain:

- 20 (1) A statement as to whether or not the CAPTAC recommends approval of the application and the
21 reasons for said recommendation.
- 22 (2) Any recommendation for modification of the application.
- 23 (3) If the application submitted is to establish a preserve or to add lands to an existing preserve, the
24 report shall also include the CAPTAC's factual findings as to the following:
- 25 (a) Present zoning of lands proposed to be included in the preserve and surrounding land.
- 26 (b) Present land use of land proposed to be included in the preserve and surrounding properties.
- 27 (c) Whether or not the land proposed to be included in the preserve is presently employed in an
28 agricultural use and, if so, the agricultural commodities grown thereon.

- 1 (d) The agricultural commodities that may be grown on the property proposed to be included in the
2 preserve taking into consideration the said type, water availability and other conditions that may
3 affect the growing of crops.
- 4 (e) Whether or not the existing or proposed agricultural use of the land constitutes or could
5 constitute a nuisance, public or private, to the surrounding lands.
- 6 (f) The current assessed valuation and the estimated reduction in assessed valuation if the real
7 property proposed to be included in the preserve enters into a Land Conservation Contract.
- 8 (g) A list of any cities that are within one mile of the proposed boundaries of the preserve, and any
9 comments expressed by such a city on the application.
- 10 (h) The existence of any historic or scenic value to the lands proposed to be included in the preserve.
- 11 (i) The acreages of each land owner included in the application and the total acreage.
- 12 (4) If the application submitted is to disestablish a preserve or to delete lands from a preserve, the report
13 shall also include the CAPTAC's findings and conclusions as to the following:
- 14 (a) Whether a notice of nonrenewal has been served pursuant to the Williamson Act and Section
15 401 of these Rules.
- 16 (b) Whether the cancellation is likely to result in the removal of adjacent lands from agricultural
17 use.
- 18 (c) Whether the proposed alternative use of land is consistent with the provisions of the County
19 General Plan.
- 20 (d) Whether the cancellation will result in discontinuous patterns of urban development.
- 21 (e) Whether there is proximate noncontracted land which is both available and suitable for the use
22 to which it is proposed the contracted land be put, or, whether the development of the contracted
23 land would provide more contiguous patterns of urban development than development of
24 proximate noncontracted land.
- 25 (5) Any public comments received on the application.
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1 DIVISION VII

2 MISCELLANEOUS PROVISIONS

3 Section 701. Filing of Map and Resolution.

4 Whenever an agricultural preserve is established, and so long as it shall be in effect, a map of such
5 agricultural preserve and the resolution under which the preserve was established shall be filed and kept
6 current with the County Recorder.

7 Section 702. Filing of Map with State Director of Food and Agriculture.

8 On or before the first day of September of each year, the Planning Director shall file with the State Director
9 of Food and Agriculture a map of the County designating thereon all agricultural preserves in existence at
10 the end of the preceding fiscal year.

11 Section 703. Rescission of Contract and Simultaneous Entry into New Contract.

12 Notwithstanding any other provision of these Rules, the parties may by their mutual agreement rescind a
13 Contract in order simultaneously to enter into a new Contract pursuant to these Rules which new Contract
14 would enforceably restrict the same property for an initial term at least as long as the unexpired term of the
15 Contract being so rescinded but not less than 10 years. Such action may be taken notwithstanding the prior
16 serving of a notice of nonrenewal relative to the former Contract.

17 Section 704. Minimum Lot Sizes Within Agricultural Preserves.

18 Whenever a division of land is proposed within an agricultural preserve, the total number of lots shall be
19 determined pursuant to the General Plan for Riverside County and any applicable zoning classification,
20 whichever is more restrictive. In any event, no parcel shall be created that is below the minimum size of 10
21 acres.

22 Section 705. Filing Period for Agricultural Preserves.

23 No application to establish, terminate, enlarge or diminish an agricultural preserve shall be received on or
24 after November 1 of any year until March 1 of the following year.

25 Section 706. Fees.

26 The fee for an application to create a preserve or add lands to a preserve shall be \$400 plus \$40 for each
27 Owner's Petition filed with the application. There will also be a \$25 Contract fee if the application is
28 approved. The fee for an application to terminate or remove lands from a preserve shall be \$400. The

1 appropriate fee shall accompany the application and is not refundable. There shall be no fee for an
2 application initiated by the Board of Supervisors, provided, however, that the \$40 fee for each Owner's
3 Petition shall be payable with the Contract fee when the property is proposed to be placed under a Land
4 Conservation Contract. The fee for a Notice of Nonrenewal shall be \$25.

5 Section 707. Effective Date.

6 These Rules and Regulations shall apply to all applications filed on or after March 1, 1985. All applications
7 filed prior to that date, and not finally acted upon by that date, shall not be finally determined until the
8 information required by these amended Rules and Regulations have been supplied.

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Riverside County Board of Supervisors
Request to Speak

Submit request to the Clerk of the Board (right of podium), individual speakers are limited to a maximum of three (3) minutes, subject to Board Rules listed on the reverse side of this form. The Board may limit the public input on any item, based on the number of people requesting to speak and the business of the Board.

SPEAKER'S NAME: Veronica Langworthy

Address: _____

City: Wildomar Zip: _____

Phone #: 957-704-4210

Date: 2/3/2024 Agenda # 23.1

PLEASE STATE YOUR POSITION BELOW:

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

_____ Support _____ Oppose X _____ Neutral

CAPTAC Data on Agriculture

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

from agencies for decisions

_____ Support _____ Oppose _____ Neutral

I give my 3 minutes to: _____

Do you need a Spanish translator? Yes _____ No _____

Parking validations available for speakers only – see Clerk of the Board.

(Revised: 1/27/2026)

BOARD RULES

Requests to Address Board on "Agenda" Items:

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

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

Notwithstanding any other provisions of these rules, member of the public shall have the right to address the Board during the mid-morning "Oral Communications" segment of the published agenda. Said purpose for address must pertain to issues which are under the direct jurisdiction of the Board of Supervisors. YOUR TIME WILL BE LIMITED TO THREE (3) MINUTES. The Board may limit the public input on any item, based on the number of people requesting to speak and the business of the Board.

Power Point Presentations/Printed Material:

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

Individual Speaker Limits:

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

Group/Organized Presentations:

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

Addressing the Board & Acknowledgement by Chair:

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