

Departmental Concurrence

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

903B



**FROM:** TLMA – Planning Department

**SUBMITTAL DATE:**  
 March 1, 2016

**SUBJECT:** FAST TRACK 2014-04, CHANGE OF ZONE NO. 7845, CONDITONAL USE PERMIT NO. 3707, ADOPT ORDINANCE NO. 348.4825, NOISE ORDINANCE EXCEPTION NO. 8, VARIANCE NO. 1898, AGRICULTURAL CASE NO. 1047 and 1048 - Intent to adopt a Mitigated Negative Declaration – Applicant: Loudar, LLC – Third Supervisorial District – Rancho California Area – Southwest Area Plan: Agriculture: Agriculture (AG:AG) – 409.2 Gross Acres – Location: Northerly of Rancho California Road, Westerly of Calle Contento, easterly of La Serena Way - Zoning: C/V and C/V-10 – REQUEST: The Change of Zone and associated Ordinance No. 348.4825 proposes to change the zoning on 318.8 acres of the site from Citrus Vineyard (C/V) to Wine Country – Winery (WC-W). The Conditional Use Permit proposes a 90.4 acre Class VI Winery that will include a hotel, spa, winery, tasting room, restaurant, wedding pavilion, retail uses, detached cottages and villas, event center, and amphitheater. Agricultural Case No. 1047 proposes to remove 16.60 acres from Rancho California Agricultural Preserve No. 4. Agricultural Case No. 1048 proposes to restore 3.25 acres to Rancho California Agricultural Preserve No. 4. (continued on next page)

Steve Weiss  
 Steve Weiss, AICP  
 Planning Director

(Continued on next page)

Juan C. Perez  
 Juan C. Perez  
 TLMA Director

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

**SOURCE OF FUNDS:**

Budget Adjustment:

For Fiscal Year:

**C.E.O. RECOMMENDATION:**

APPROVE  
 BY: Tina Grande  
 Tina Grande

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

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

Prev. Agn. Ref.:

District:3

Agenda Number:

16-1

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA  
FORM 11: FAST TRACK 2014-04, CHANGE OF ZONE NO. 7845, CONDITONAL USE PERMIT NO.  
3707, ADOPT ORDINANCE NO. 348.4825, NOISE ORDINANCE EXCEPTION NO. 8, VARIANCE  
NO. 1898, AGRICULTURAL CASE NO. 1047 and 1048**

**DATE:** March 1, 2016

**PAGE:** Page 2 of 5

**REQUEST (continued from previous page):** The Noise Ordinance Exception proposes to grant an exception to the noise requirements of the County regarding the amphitheater. The Variance proposes to exceed the height development standard outlined in Ordinance No. 348 Section 14.93 for an architectural feature. 100% Deposit Based Funds (DBF).

**RECOMMENDED MOTIONS:** That the Board of Supervisors:

**ADOPT a MITIGATED NEGATIVE DECLARATION for ENVIRONMENTAL ASSESSMENT NO. 42718,** based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment; and,

**APPROVE CHANGE OF ZONE NO. 7845** amending the zoning classification of the subject property from Citrus Vineyard (C/V) and Citrus Vineyard – 10 Acre Minimum (C/V-10) to Wine Country – Winery (WC-W), as illustrated on Exhibit No. 2 and based upon the findings and conclusions set forth in the staff report; and,

**ADOPT ORDINANCE NO. 348.4825** amending the zoning in the Rancho California Area shown on Map No. 2.2388 Change of Zone No. 7845, attached hereto and incorporated herein by reference; and,

**ADOPT RESOLUTION NO. 2016-071** approving Agricultural Preserve Case No. 1047, issuing a Certificate of Tentative Cancellation and diminishing Rancho California Agricultural Preserve No. 4, Map No. 1047; and,

**TENTATIVELY APPROVE AGRICULTURAL PRESERVE CASE NO. 1047,** a proposal to diminish Rancho California Agricultural Preserve No. 4, Map No. 1047 and cancel a land conservation Contract as depicted on Map No. 1047 subject to the conditions in Resolution No. 2016-17; and,

**ADOPT RESOLUTION NO. 2016-072** restoring 3.25 acres to the Rancho California Agricultural Preserve No. 4, Map No. 1048; and,

**APPROVE AGRICULTURAL PRESERVE CASE NO. 1048,** to restore 3.25 acres to Rancho California Agricultural Preserve No. 4, Map No. 1048 based on the findings and conclusions in Resolution No. 2016-072; and,

**APPROVE and AUTHORIZE** the Chairman of the Board of Supervisors to execute the attached land conservation contract for the real property located within the Rancho California Agricultural Preserve No. 4, Map No. 1048, as shown on Rancho California Agricultural Preserve No. 4 Map No. 1048; and,

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

**APPROVE NOISE ORDINANCE EXCEPTION NO. 8,** as per Section 7 of Ordinance No. 847, requesting exception from the standards in Sections 4 and 6 (GENERAL SOUND LEVEL STANDARDS and SPECIAL SOUND SOURCES STANDARDS) based upon the findings and conclusions set forth in the staff report; and,

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA  
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**PAGE:** Page 3 of 5

**APPROVE VARIANCE NO. 1898**, permitting a 124 foot tower architectural feature on the winery building, based upon the findings and conclusions set forth in the staff report; and,

**APPROVE CONDITIONAL USE PERMIT NO. 3707**, subject to the attached conditions of approval, and based upon the findings and conclusions set forth in the staff report.

**BACKGROUND:**

Mount Palomar Winery is an existing winery approved under Plot Plan No. 03243 in 1977 for a winery sales room and restroom buildings. An additional retail space, storage, and other additions were approved in 1989 under a substantial conformance approval. All permitted buildings were constructed. The property also has another approved Plot Plan, PP23343 approved in 2010, for a project similar in scale and scope to what is being proposed with this Form 11, however nothing was constructed.

Conditional Use Permit No. 3707 proposes to develop a 90.4-acre Class VI Winery to include a Wine Country Resort with a hotel, detached cottages and villas, spa and fitness club, winery, wine tasting room, restaurant, special occasion facility for weddings (including a chapel for weddings only), retail and gift sales, event center, and an amphitheater with a limit of 52 concerts a year. Known as the Mount Palomar Winery, the site is located within the Southwest Area Plan (SWAP) portion of unincorporated Riverside County, California. The formal main entry to the winery will be relocated approximately 320 feet southwest from the original location (to be vacated) and will provide access for guests to the hotel, restaurant, winery, and amphitheater. The project's service road will be constructed along the eastern boundary in order to provide delivery of supply goods and services to the hotel, spa, and event areas.

The project proposes an outdoor amphitheater with amplified music. Ordinance No. 348 does not permit outdoor amplified sounds in the Wine Country-Winery zoning classification unless a Noise Ordinance Exception is approved. The applicant has submitted a noise study that includes many project design features, and operational mitigation measures that will assure the noise from the use will comply with the Wine Country Community Plan requirements regarding noise levels.

More specifically, conditions of approval (which include the mitigation measures) have been added regarding the design and operation of the amphitheater ensuring that continual active monitoring of noise volume is monitored by the amphitheater staff to assure compliance with appropriate noise levels (COA's 10.Planning.41, 42, 43, 44, and 90.Planning.31). These mitigations/conditions were taken from the noise study. These include a requirement for a decibel meter device in the sound board room of the amphitheater and requirements for the staff to continually monitor and adjust the volume of the events to comply with the noise requirements. Environmental Health monitor of 5 concerts during the first year to assure the details provided in the noise study are accurate. Additionally, the Environmental Impact Report No. 524 for the Wine Country Community Plan requires several conditions of approval be added regarding outdoor events. Such conditions have been added to the project (COA's 10.Planning.41, 42, 43, 44, and 90.Planning.31). In addition, all events in the amphitheater are required to end by 10pm. This is required by Ordinance and by Condition of approval.

As a point of clarification, condition of approval 10.Planning.40 has been added to the project to explain that the Noise Ordinance Exception is for the amphitheater use and its amplified sound. The exception does not apply to the rest of the project site. The exception will not permit outdoor amplified sound for conventions, weddings, banquets or any other use outside the amphitheater.

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**PAGE:** Page 4 of 5

There is no limit proposed on the number of weddings because the project site (the wedding area of the project site) is isolated from any sensitive uses. No noise conflict is anticipated; particularly with the restriction on outdoor amplified sound for weddings.

The project is currently within the Rancho California Agricultural Preserve No. 4 ("Preserve"). The hotel and resort are not allowed to be within the Preserve. As a result, as part of the previously approved winery, land where the hotel and resort were to be located was removed from the Preserve. However, the previous winery was never constructed on the site.<sup>1</sup> The applicant is now proposing a different design for the winery. This new use requires modifications to the Preserve's boundary to ensure only compatible uses are within the Preserve.

AG01047 proposes to diminish the Rancho California Agricultural Preserve No. 4 by removing 16.60 acres from it. This diminishment is needed to accommodate non-agricultural uses related to the proposed expansion of the winery/resort.

On August 27, 2015, the Comprehensive Agricultural Preserve Technical Advisory Committee (CAPTAC) considered the application to diminish Rancho California Agricultural Preserve No. 4, Map No. 1047. CAPTAC recommended denial of the proposed application citing that the cancellation was not consistent with the provisions of the Agricultural Land Conservation Act of 1965; however, the Planning Department does not concur with CAPTAC's conclusion and is recommending APPROVAL of the diminishment of the agricultural preserve and cancellation of the land conservation contract based upon the conditions of approval, findings, and conclusions set forth in Resolution No. 2016-071. The further expansion of the Mount Palomar Winery will help ensure that the land will remain under cultivation by making grape growing a profitable enterprise. Therefore, the Planning Department considers this proposal the best use of the land.

Should the Board of Supervisors tentatively approve the proposed cancellation and diminishment, the applicant would be required to comply with the conditions of approval set forth in Resolution No. 2016-071 prior to the issuance of a Certificate of Final Cancellation as outlined in Government Code Section 51283.4.

AG01048 proposes to restore 3.25 acres to the Rancho California Agricultural Preserve No. 4 which were removed as a result of the approved Agricultural Case No. 1020. As part of Agricultural Case No. 1020, the applicant served Agricultural Case Non-Renewal No. 161 recorded 11-09-2010 (2010-0537879) for the Preserve's entire 38.27 acres. As a result of the notice of non-renewal, the land conservation contract on the 38.27 acres will expire automatically on January 1, 2020. However, in order to cancel the land conservation contract before that date, the land conservation contract was tentatively canceled on November 9, 2010 as part of Agricultural Case No. 1020. At this time, the applicant has not fulfilled the conditions on the tentative cancellation; therefore, the Certificate of Final Cancellation has not been issued by the County. With the proposed re-design of the project, the applicant is requesting that 3.25 acres of the 38.27 acres be put back into the Preserve, and keep the remaining 35.02 acres out of the Preserve. Agricultural Preserve Case No. 1048 will accomplish this by putting the 3.25 acres back into the Preserve as shown on the map entitled "Rancho California Agricultural Preserve No. 4 Map No. 1048." Additionally, since a notice of non-renewal was served on the entire 38.37 acres, it is necessary for the applicant and the County to enter into a new 10 year land conservation contract for the 3.25 acres. The 3.25 acres is

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<sup>1</sup> PP03243 was approved in 1977 and constructed. It is not in the Ag Preserve. PP23343 approved in 2010 carved out a footprint for the new proposed winery complex, however, none of that plot plan was constructed.

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**PAGE:** Page 5 of 5

currently under cultivation and will remain under cultivation. The land conservation contract for the remaining 35.02 acres will continue until either January 1, 2020 or when the applicant obtains the Certificate of Final Cancellation, whichever is soonest.

Lastly the project features a variance for a 124 foot bell-tower-like structure on the winery. The tower is located within a small valley towards the middle of the property and will be slightly visible from Rancho California Road.

**Impact on Citizens and Businesses**

All potential project impacts have been studied under CEQA and noticed to the public pursuant to the requirements of the County.

**ATTACHMENTS:**

- A. **STAFF REPORT**
- B. **ORDINANCE NO. 348.4825**
- C. **RESOLUTION No. 201 6-071 for Agricultural Case No. 1047**
- D. **RESOLUTION No. 201 6-072 for Agricultural Case No. 1048**
- E. **LAND CONSERVATION CONTRACT**

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



**16-1**

10:30 a.m. being the time set for public hearing on the recommendation from Transportation And Land Management Agency/Planning regarding Public Hearing on Change of Zone No. 7845, Conditional Use Permit No. 3707, Variance No. 1898, Agricultural Preserve No. 1047 And Agricultural Preserve No. 1048 – FTA 2014-04. Recommendation of Adoption of a Mitigated Negative Declaration for Environmental Assessment No. 42718. Approval of Change of Zone No. 7845 to change the zoning on 318.8 acres of the site from Citrus Vineyard (C/V) to Wine Country – Winery (WC-W); ADOPTION OF ORDINANCE NO. 348.4825 an Ordinance of the County of Riverside Amending Zoning (CZ No. 7845); Adoption of Resolution No. 2016-071 approving Agricultural Case No. 1047, issuing a Certificate of Cancellation and diminishing Rancho California Agricultural Preserve No. 4, Map No. 1047; Tentative Approval of Agricultural Case No. 1047 to remove 16.60 acres from Rancho California Agricultural Preserve No. 4; Adoption of Resolution No. 2016-072 restoring 3.25 acres to the Rancho California Agricultural Preserve No. 4, Map No. 1048; Approval to execute land conservation contract for real property within the Rancho California Agricultural Preserve No. 4, Map No. 1048; Approval of Noise Ordinance Exception No. 8 which proposes to grant an exception to the noise requirements of the County regarding the amphitheater; Approval of Variance No. 1898 which proposes to exceed the height development standard outlined in Ordinance No. 348 Section 14.93 for a tower element of the proposed winery; and Approval of Conditional Use Permit No. 3707 which proposes a 90.4 acre winery complex that will include a hotel, Spa, Winery, Tasting Room, restaurant, wedding pavilion, retail uses, detached cottages and villas, event center, and amphitheater ("the project"). The project is located northerly of Rancho California Road, westerly of Calle Contento, easterly of La Serena Way in the Rancho California area – Southwest Area Plan, 3<sup>rd</sup> District.

On motion of Supervisor Ashley, seconded by Supervisor Benoit and duly carried, IT WAS ORDERED that the above matter is continued to Tuesday, April 5, 2016 at 10:30 a.m. or as soon as possible thereafter.

Roll Call:

Ayes:	Jeffries, Tavaglione, Benoit and Ashley
Nays:	None
Absent:	None
Abstained:	Washington

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on March 15, 2016 of Supervisors Minutes.

(seal)

WITNESS my hand and the seal of the Board of Supervisors  
Dated: March 15, 2016  
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in  
and for the County of Riverside, State of California.

By: [Signature] Deputy

AGENDA NO.  
16-1

xc: Planning, COB



RECORDING REQUESTED BY  
RIVERSIDE COUNTY

THIS AREA FOR RECORDER'S USE ONLY

When recorded, return to:

Stop #1010  
Clerk of the Board of Supervisors  
Riverside CA, 1<sup>st</sup> Floor

No fee, 6103 Government Code

LAND CONSERVATION CONTRACT

COUNTY OF RIVERSIDE, herein called "County," and

LOUIDAR, LLC

herein called "Owner," mutually agree:

1. This contract is made pursuant to the California Land Conservation Act of 1965 (Government Code, Section 51200, et seq.) and affects the real property described in Exhibit "A" attached hereto and made a part of this contract, which lies within the RANCHO CALIFORNIA Agricultural Preserve No. 4, Map No. 1048.
2. This contract shall take effect on January 1, 2016, and shall remain in effect for an initial term of 10 years.
3. On each anniversary date of this contract, one year shall be added to the initial term unless notice of non-renewal shall be given as provided in Section 51245 of the Government Code. Any notice of non-renewal referring to this contract shall be recorded by the County in the office of the County Recorder whenever the contract is not renewed.
4. This contract may be canceled only in accordance with Section 51280, et seq., of the Government Code relating to cancellation, as now written or hereafter amended.
5. When any portion of land subject to this contract is acquired by condemnation of the fee title, or by purchase in lieu thereof, for a public improvement, this contract shall become null and void thereafter as to such portion, and may be amended to correctly reflect the description of any portion not so acquired.
6. In consideration of the execution hereof by County, and the execution by County and other owners within the preserve of similar contracts, the Owner, during the term of this contract, including any renewal period, agrees to use the described land only for agricultural uses and such compatible uses as are permitted by or pursuant to the Uniform Rules established for the administration of agricultural preserves by Riverside County Ordinance Number No. 509. Said Uniform Rules are by this reference incorporated in and made a part of this contract.
7. In consideration of the execution hereof by the Owner and the execution of similar contracts by other property owners within the same agricultural preserve, County agrees not to authorize uses, other than uses permitted by or pursuant to said Uniform Rules, within said agricultural preserve, during the term of this contract or any renewal thereof. Nothing herein shall prohibit a change of boundaries of said agricultural preserve to omit lands not subject to such contract or to include additional lands.
8. Any notice to be given to the Owner pursuant to this contract or said Uniform Rules may be sent by U.S. Mail addressed to the Owner at the address shown below the signature of the Owner. Like notices to

County may be sent by U.S. Mail addressed to Clerk, Board of Supervisors, P.O. Box 1010, Riverside, CA 92502-1010. Either party may change such address by notice to the other.

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

Dated as of: January 1, 2016

STATE OF CALIFORNIA  
COUNTY OF RIVERSIDE

ATTEST:

Clerk of the Riverside County Board of Supervisors

BY \_\_\_\_\_

Chairman, Board of Supervisors

By \_\_\_\_\_  
(Seal) Deputy

**OWNER(S) SIGNATURE AND ADDRESS**

Owner: Louidar LLC - by: Louis Darwish (managing member)

Owner: \_\_\_\_\_

Owner: \_\_\_\_\_

Owner: \_\_\_\_\_

Mailing Address: P O Box 891510, Temecula, CA 92589

**NOTARY ACKNOWLEDGMENT**

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

STATE OF CALIFORNIA

COUNTY OF San Diego

On Jan 1st, 2016 before me, MAKROUHI K. MAY  
(Date) (Name and Title of officer)

personally appeared LOUIS DARWISH, who  
(Name(s) of signer(s))

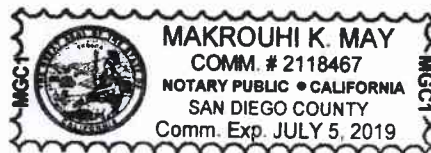
proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal

(Signature)  
Notary Public

(SEAL)





RECORDING REQUESTED BY  
RIVERSIDE COUNTY

THIS AREA FOR RECORDER'S USE ONLY

When recorded, return to:

Stop #1010  
Clerk of the Board of Supervisors  
Riverside CA, 1<sup>st</sup> Floor

No fee, 6103 Government Code

LAND CONSERVATION CONTRACT

COUNTY OF RIVERSIDE, herein called "County," and

LOUIDAR, LLC

herein called "Owner," mutually agree:

1. This contract is made pursuant to the California Land Conservation Act of 1965 (Government Code, Section 51200, et seq.) and affects the real property described in Exhibit "A" attached hereto and made a part of this contract, which lies within the RANCHO CALIFORNIA Agricultural Preserve No. 4, Map No. 1048.
2. This contract shall take effect on January 1, 2016, and shall remain in effect for an initial term of 10 years.
3. On each anniversary date of this contract, one year shall be added to the initial term unless notice of non-renewal shall be given as provided in Section 51245 of the Government Code. Any notice of non-renewal referring to this contract shall be recorded by the County in the office of the County Recorder whenever the contract is not renewed.
4. This contract may be canceled only in accordance with Section 51280, et seq., of the Government Code relating to cancellation, as now written or hereafter amended.
5. When any portion of land subject to this contract is acquired by condemnation of the fee title, or by purchase in lieu thereof, for a public improvement, this contract shall become null and void thereafter as to such portion, and may be amended to correctly reflect the description of any portion not so acquired.
6. In consideration of the execution hereof by County, and the execution by County and other owners within the preserve of similar contracts, the Owner, during the term of this contract, including any renewal period, agrees to use the described land only for agricultural uses and such compatible uses as are permitted by or pursuant to the Uniform Rules established for the administration of agricultural preserves by Riverside County Ordinance Number No. 509. Said Uniform Rules are by this reference incorporated in and made a part of this contract.
7. In consideration of the execution hereof by the Owner and the execution of similar contracts by other property owners within the same agricultural preserve, County agrees not to authorize uses, other than uses permitted by or pursuant to said Uniform Rules, within said agricultural preserve, during the term of this contract or any renewal thereof. Nothing herein shall prohibit a change of boundaries of said agricultural preserve to omit lands not subject to such contract or to include additional lands.
8. Any notice to be given to the Owner pursuant to this contract or said Uniform Rules may be sent by U.S. Mail addressed to the Owner at the address shown below the signature of the Owner. Like notices to

County may be sent by U.S. Mail addressed to Clerk, Board of Supervisors, P.O. Box 1010, Riverside, CA 92502-1010. Either party may change such address by notice to the other.

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

Dated as of: January 1, 2016

STATE OF CALIFORNIA  
COUNTY OF RIVERSIDE

ATTEST:  
Clerk of the Riverside County Board of Supervisors

BY \_\_\_\_\_  
Chairman, Board of Supervisors

By \_\_\_\_\_  
(Seal) Deputy

**OWNER(S) SIGNATURE AND ADDRESS**

Owner: Loidar LLC - by: Louis Darwish (managing member)

Owner: \_\_\_\_\_

Owner: \_\_\_\_\_

Owner: \_\_\_\_\_

Mailing Address: P O Box 891510, Temecula, CA 92589

**NOTARY ACKNOWLEDGMENT**

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

STATE OF CALIFORNIA

COUNTY OF San Diego

On Jan 1st, 2016 before me, MAKROUHI K. MAY  
(Date) (Name and Title of officer)

personally appeared LOUIS DARWISH, who  
(Name(s) of signer(s))

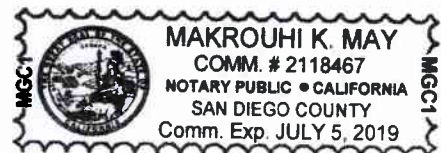
proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal

(Signature)  
Notary Public

(SEAL)



RECORDING REQUESTED BY  
RIVERSIDE COUNTY

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LAND CONSERVATION CONTRACT

COUNTY OF RIVERSIDE, herein called "County," and

LOUIDAR, LLC

herein called "Owner," mutually agree:

1. This contract is made pursuant to the California Land Conservation Act of 1965 (Government Code, Section 51200, et seq.) and affects the real property described in Exhibit "A" attached hereto and made a part of this contract, which lies within the RANCHO CALIFORNIA Agricultural Preserve No. 4, Map No. 1048.
2. This contract shall take effect on January 1, 2016, and shall remain in effect for an initial term of 10 years.
3. On each anniversary date of this contract, one year shall be added to the initial term unless notice of non-renewal shall be given as provided in Section 51245 of the Government Code. Any notice of non-renewal referring to this contract shall be recorded by the County in the office of the County Recorder whenever the contract is not renewed.
4. This contract may be canceled only in accordance with Section 51280, et seq., of the Government Code relating to cancellation, as now written or hereafter amended.
5. When any portion of land subject to this contract is acquired by condemnation of the fee title, or by purchase in lieu thereof, for a public improvement, this contract shall become null and void thereafter as to such portion, and may be amended to correctly reflect the description of any portion not so acquired.
6. In consideration of the execution hereof by County, and the execution by County and other owners within the preserve of similar contracts, the Owner, during the term of this contract, including any renewal period, agrees to use the described land only for agricultural uses and such compatible uses as are permitted by or pursuant to the Uniform Rules established for the administration of agricultural preserves by Riverside County Ordinance Number No. 509. Said Uniform Rules are by this reference incorporated in and made a part of this contract.
7. In consideration of the execution hereof by the Owner and the execution of similar contracts by other property owners within the same agricultural preserve, County agrees not to authorize uses, other than uses permitted by or pursuant to said Uniform Rules, within said agricultural preserve, during the term of this contract or any renewal thereof. Nothing herein shall prohibit a change of boundaries of said agricultural preserve to omit lands not subject to such contract or to include additional lands.
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County may be sent by U.S. Mail addressed to Clerk, Board of Supervisors, P.O. Box 1010, Riverside, CA 92502-1010. Either party may change such address by notice to the other.

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

Dated as of: January 1, 2016

STATE OF CALIFORNIA  
COUNTY OF RIVERSIDE

ATTEST:  
Clerk of the Riverside County Board of Supervisors

BY \_\_\_\_\_  
Chairman, Board of Supervisors

By \_\_\_\_\_  
(Seal) Deputy

**OWNER(S) SIGNATURE AND ADDRESS**

Owner: Loudidar LLC - by: Louis Darwish (managing member) 

Owner: \_\_\_\_\_

Owner: \_\_\_\_\_

Owner: \_\_\_\_\_

Mailing Address: P O Box 891510, Temecula, CA 92589

**NOTARY ACKNOWLEDGMENT**

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

STATE OF CALIFORNIA )  
COUNTY OF San Diego )

On Jan 1st, 2016 before me, MAKROUHI K. MAY,  
(Date) (Name and Title of officer)

personally appeared LOUIS DARWISH, who  
(Name(s) of signer(s))

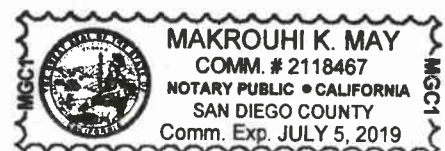
proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal

  
Notary Public

{SEAL}



**RESOLUTION NO. 2016-072**  
**APPROVING AGRICULTURAL PRESERVE CASE NO. 1048**  
**AND RESTORING A PORTION OF THE**  
**RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 4**

**WHEREAS**, in accordance with the Land Conservation Act of 1965, John Poole Radio Properties, Inc. entered into a Land Conservation contract dated January 1, 1971, with the County of Riverside for land that is currently identified as APNs 943-120-027, 031, 032 and 033 which was recorded on October 14, 1970 as Instrument No. 103843, in the Office of the County Recorder of Riverside County, California; and,

**WHEREAS**, Louidar, LLC, the current owner of the property subject to the above referenced Land Conservation contract ("property owner"), filed a Notice of Non-renewal on June, 28, 2010, which was recorded on November 9, 2010, as Instrument No. 2010-0537879 for 38.27 acres within the Rancho California Agricultural Preserve No. 4; and,

**WHEREAS**, as a result of the recorded Notice of Non-renewal, the Land Conservation contract on the entire 38.27 acres will expire automatically on January 1, 2020; and,

**WHEREAS**, in order to cancel the Land Conservation contract before January 1, 2020, the property owner processed Agricultural Case No. 1020 which tentatively canceled the contract on November 9, 2010; and,

**WHEREAS**, a Certificate of Final Cancellation has not been issued by the County of Riverside because the property owner has not fulfilled the conditions for the tentative cancellation; and,

**WHEREAS**, Agricultural Case No. 1020 also removed the 38.27 acres from the Rancho California Agricultural Preserve No. 4; and,

**WHEREAS**, the property owner now wishes to place 3.25 acres of the 38.27 acres back into the Rancho California Agricultural Preserve No. 4; and,



1       **WHEREAS**, Agricultural Case No. 1048 will place the 3.25 acres back into the Rancho  
2 California Agricultural Preserve No. 4 as shown on the map entitled "MAP No. 110 RANCHO  
3 CALIFORNIA AGRICULTURAL PRESERVE NO. 4, MAP NO. 1048"; and,

4       **WHEREAS**, a public hearing was held on this matter by the Riverside County Board of  
5 Supervisors on March 15, 2016.

6       **BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the Board of  
7 Supervisors of the County of Riverside, State of California, in regular session assembled on March  
8 15, 2016 based on the evidence presented on this matter, both written and oral, including  
9 Environmental Assessment No. 42718, that:

- 10       1. The 3.25 acres ("property") are currently designated Agriculture: Agriculture which is  
11       compatible with agricultural preserves.
- 12       2. The property's current zoning is Citrus Vineyard 10 Acre minimum (C/V-10) which is  
13       compatible with agricultural preserves.
- 14       3. The property's proposed zoning Wine County Winery (WC-W) is compatible with  
15       agricultural preserves.
- 16       4. Agricultural Case No. 1048, which proposes to put the property back into the Rancho  
17       California Agricultural Preserve No. 4 is consistent with County's General Plan  
18       because the land will remain under vineyard cultivation which consistent with both the  
19       Agricultural land use designation assigned to the property as well as being consistent  
20       with the Temecula Valley Wine Country Policy Area.
- 21       5. The Comprehensive Agricultural Preserve Technical Advisory Committee  
22       ("CAPTAC") reviewed Agricultural Case No. 1048 on September 16, 2014, and found  
23       it acceptable. Further, CAPTAC made the following findings:
  - 24       a. There is no existence of any historic value to the lands being proposed to be  
25       included in the preserve.
  - 26       b. There is no existence of any scenic value to the lands proposed to be included  
27       in the preserve.

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

- 1           1. Since a Notice of Non-renewal was recorded on the entire 38.27 acres, it is necessary
- 2           for the property owner and the County to enter into a new 10 year Land Conservation
- 3           contract for the 3.25 acres.
- 4           2. The 3.25 acres is currently under cultivation and will remain under cultivation.
- 5           3. The Land Conservation contract dated January 1, 1971 for the remaining 35.02 acres
- 6           will continue until either January 1, 2020 or when the property owner obtains the
- 7           Certificate of Final Cancellation, whichever is soonest.

8           **BE IT FURHER RESOLVED**, by the Board of Supervisors that pursuant to the  
9 California Land Conservation Act of 1965 (Government Code Section 51200 et seq.), the Rancho  
10 California Agricultural Preserve No. 4, as amended through Map No. 1020, is further amended by  
11 Map No. 1048 adding thereto the area shown on the map entitled, "MAP No. 110 RANCHO  
12 CALIFORNIA AGRICULTURAL PRESERVE NO. 4, MAP NO. 1048," and described by the  
13 boundary description thereof, said map and description both being on file in the office of the Clerk  
14 of this Board.

15           **BE IT FURTHER RESOLVED** that the Clerk of this Board shall file and record copies  
16 of this resolution, map entitled, "MAP NO. 110 RANCHO CALIFORNIA AGRICULTURAL  
17 PRESERVE NO. 4, MAP NO. 1048" and boundary description with the Office of the County  
18 Recorder of Riverside County and transmit copies to the Director of Conservation, State of  
19 California and the Assessor of Riverside County

# MAP NO. 110 RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 4

AMENDED BY MAP NO. 317, 1020, 1047, 1048

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



## AMENDMENTS:

NO. 1, (DIMINISHMENT), DENIED,	MAP NO. 317
NO. 2, (DIMINISHMENT), TENTATIVE,	MAP NO. 1020
NO. 3, (DIMINISHMENT), TENTATIVE,	MAP NO. 1047
NO. 4, (RESTORE), MARCH 15, 2016,	MAP NO. 1048

ADOPTED ON SEPTEMBER 21, 1970  
BY THE BOARD OF SUPERVISORS  
OF THE COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA.

# EXHIBIT "A"

## RANCHO CALIFORNIA AGRICULTURAL PRESERVE No. 4 RESTORATION (AG01048)

### LEGAL DESCRIPTION

Those portions of Parcels A-9 and A-10 of Record of Surveys filed in Book 50, pages 68 through 75, inclusive, together with a portion of Parcel No. 2 of Instrument No. 1965-127437, recorded November 9, 1965, all records of Riverside County Recorder's Office located in Sections 27 and 34 of Township 7 South, Range 2 West of the Unincorporated Territory of Riverside County, State of California, more particularly described as follows:

#### PARCEL 1:

**Commencing** at the southeasterly end of that course on the northeasterly side of said Parcel 2 of Instrument No. 1965-127437 shown as "North 45°27'30" West 884.02 feet" per said Instrument;

thence along the northeasterly line of said Parcel 2, North 45°26'25" West 233.58 feet;

thence South 44°33'35" West 59.31 feet;

thence South 30°42'12" West 68.63 feet;

thence North 59°17'48" West 49.93 feet;

thence South 03°32'05" East 133.55 feet;

thence North 87°59'09" East 39.37 feet;

thence South 02°00'51" East 130.42 feet;

thence South 42°59'09" West 181.32 feet;

thence South 87°59'09" West 142.89 feet, said point hereinafter referred to as **Point "A"**;

thence South 47°23'57" West 250.77 feet to the **True Point of Beginning**;

thence South 23°58'06" West 61.03 feet;

thence South 67°46'42" West 75.96 feet;

thence North 22°13'18" West 104.53 feet to a non-tangent curve concave southwesterly having a radius of 157.09 feet, a radial line to the beginning of said curve bears North 67°54'48" East;

thence northwesterly 118.89 feet along said curve through a central angle of 43°21'45";

## EXHIBIT "A"

thence non-tangent from said curve South 24°33'03" West 28.52 feet;

thence South 27°17'04" East 19.69 feet to a curve concave northwesterly having a radius of 46.86 feet;

thence southwesterly 109.44 feet along said curve through a central angle of 133°48'30";

thence North 73°28'34" West 118.49 feet;

thence South 77°00'09" West 60.00 feet;

thence North 12°59'51" West 39.93 feet to a non-tangent curve concave easterly having a radius of 332.63 feet, a radial line to the beginning of said curve bears South 77°03'53" West;

thence northerly 12.69 feet along said curve through a central angle of 02°11'10";

thence non-tangent from said curve South 85°04'04" East 58.57 feet;

thence North 04°55'56" East 273.00 feet;

thence South 85°04'04" East 29.12 feet;

thence North 59°01'41" East 112.55 feet;

thence North 04°55'56" East 34.90 feet;

thence South 72°17'04" East 9.25 feet;

thence South 17°42'56" West 19.50 feet;

thence South 72°17'04" East 114.00 feet;

thence South 17°42'56" West 83.26 feet;

thence South 02°42'56" West 27.75 feet;

thence South 17°42'56" West 62.53 feet to a non-tangent curve concave southwesterly having a radius of 260.00 feet, a radial line to the beginning of said curve bears North 22°46'39" East;

thence southeasterly 70.51 feet along said curve through a central angle of 15°32'20" to a reverse curve concave northerly having a radius of 3.00 feet, a radial line to the beginning of said reverse curve bears North 38°18'59" East;

thence easterly 4.68 feet along said curve through a central angle of 89°20'47";



## EXHIBIT "A"

thence North 38°58'12" East 15.02 feet to a non-tangent curve concave southwesterly having a radius of 278.00 feet, a radial line to the beginning of said curve bears North 38°58'12" East;

thence southeasterly 139.78 feet along said curve through a central angle of 28°48'30";

thence South 22°13'18" East 62.28 feet to the **Point of Beginning**.

Containing 2.43 acres, more or less.

### PARCEL 2:

**Commencing** at the aforementioned **Point "A"**;

thence North 05°39'03" West 68.42 feet;

thence North 80°48'37" West 5.68 feet to the **True Point of Beginning**,

thence North 80°48'37" West 34.32 feet;

thence North 84°42'33" West 40.59 feet;

thence North 53°45'54" West 56.32 feet to a non-tangent curve concave southeasterly having a radius of 268.00 feet, a radial line to the beginning of said curve bears North 55°46'55" West, said point hereinafter referred to as **Point "B"**;

thence northeasterly 37.03 feet along said curve through a central angle of 07°55'02";

thence North 42°08'07" East 112.51 feet to a curve concave southerly having a radius of 25.00 feet;

thence easterly 23.58 feet along said curve through a central angle of 54°02'03" to a reverse curve concave northwesterly having a radius of 38.00 feet, a radial line to the beginning of said reverse curve bears North 06°10'10" East;

thence northeasterly 52.44 feet along said curve through a central angle of 79°04'03";

thence non-tangent from said curve South 45°00'00" East 45.83 feet;

thence South 45°00'00" West 85.07 feet;

thence South 45°00'00" East 42.00 feet;

thence South 45°00'00" West 77.56 feet;

thence South 45°00'00" East 17.85 feet to the **True Point of Beginning**.

# EXHIBIT "A"

Containing 0.39 acres, more or less.

## **PARCEL 3:**

**Commencing** at the aforementioned **Point "B"**;

thence North 38°28'14" West 55.00 feet to the **True Point of Beginning**,

thence South 32°48'48" West 57.13 feet;

thence North 57°11'12" West 33.23 feet;

thence South 42°42'56" West 49.13 feet;

thence North 47°17'04" West 33.37 feet;

thence North 42°42'56" East 50.86 feet;

thence North 47°17'04" West 55.87 feet;

thence North 42°42'56" East 100.26 feet;

thence South 47°17'04" East 83.31 feet;

thence North 42°08'07" East 109.66 feet;

thence South 47°51'53" East 40.17 feet;

thence South 42°08'07" West 99.24 feet;

thence South 55°09'37" West 52.06 feet to the **True Point of Beginning**.

Containing 0.41 acres, more or less.

## **PARCEL 4:**

### **PARCEL 4A:**

**Commencing** at the northwesterly end of that course on the northeasterly side of said Parcel 2 of Instrument No. 1965-127437 and Record of Surveys filed in Book 50, pages 68 through 75, inclusive, shown as "North 45°27'30" West 884.02 feet" per Instrument No. 1965-127437 and Record of Surveys filed in Book 50, pages 68 through 75, inclusive;

thence South 45°56'54" West 58.33 feet;

thence South 43°53'53" West 53.02 feet to the **True Point of Beginning**;

## EXHIBIT "A"

thence South 00°00'00" East 55.20 feet, said point hereinafter referred to as **Point "C"**;

thence North 46°06'07" West 38.27 feet;

thence North 43°53'53" East 39.77 feet to the **True Point of Beginning**.

Containing 761 square feet, 0.017 acres, more or less.

### **PARCEL 4B:**

**Commencing** at the aforementioned **Point "C"**;

thence South 46°06'07" East 23.84 feet;

thence South 01°59'53" East 27.91 feet;

thence South 84°42'01" West 18.23 feet to the **True Point of Beginning**;

thence South 00°00'00" East 19.15 feet, said point hereinafter referred to as **Point "D"**;

thence North 05°17'59" West 19.07 feet;

thence North 84°42'01" East 1.77 feet to the **True Point of Beginning**.

Containing 17 square feet, 0.000 acres, more or less.

### **PARCEL 4C:**

**Commencing** at the aforementioned **Point "D"**;

thence South 05°17'59" East 1.04 feet;

thence North 84°42'01" East 20.10 feet;

thence South 20°21'06" East 34.92 feet;

thence South 59°49'40" West 37.31 feet to the **True Point of Beginning**;

thence South 00°00'00" East 19.32 feet;

thence North 30°10'20" West 16.70 feet;

thence North 59°49'40" East 9.71 feet to the **True Point of Beginning**.

Containing 81 square feet, 0.002 acres, more or less.

# EXHIBIT "A"

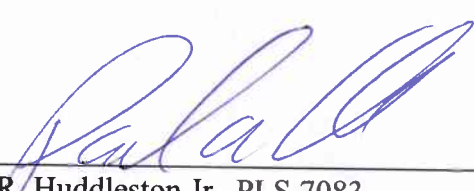
Total of Parcels 4A, 4B & 4C containing 859 square feet, 0.02 acres, more or less.

All Parcels combined contain 3.25 acres, more or less.

All as shown on Exhibit "B-1", attached hereto and by this reference made a part hereof.

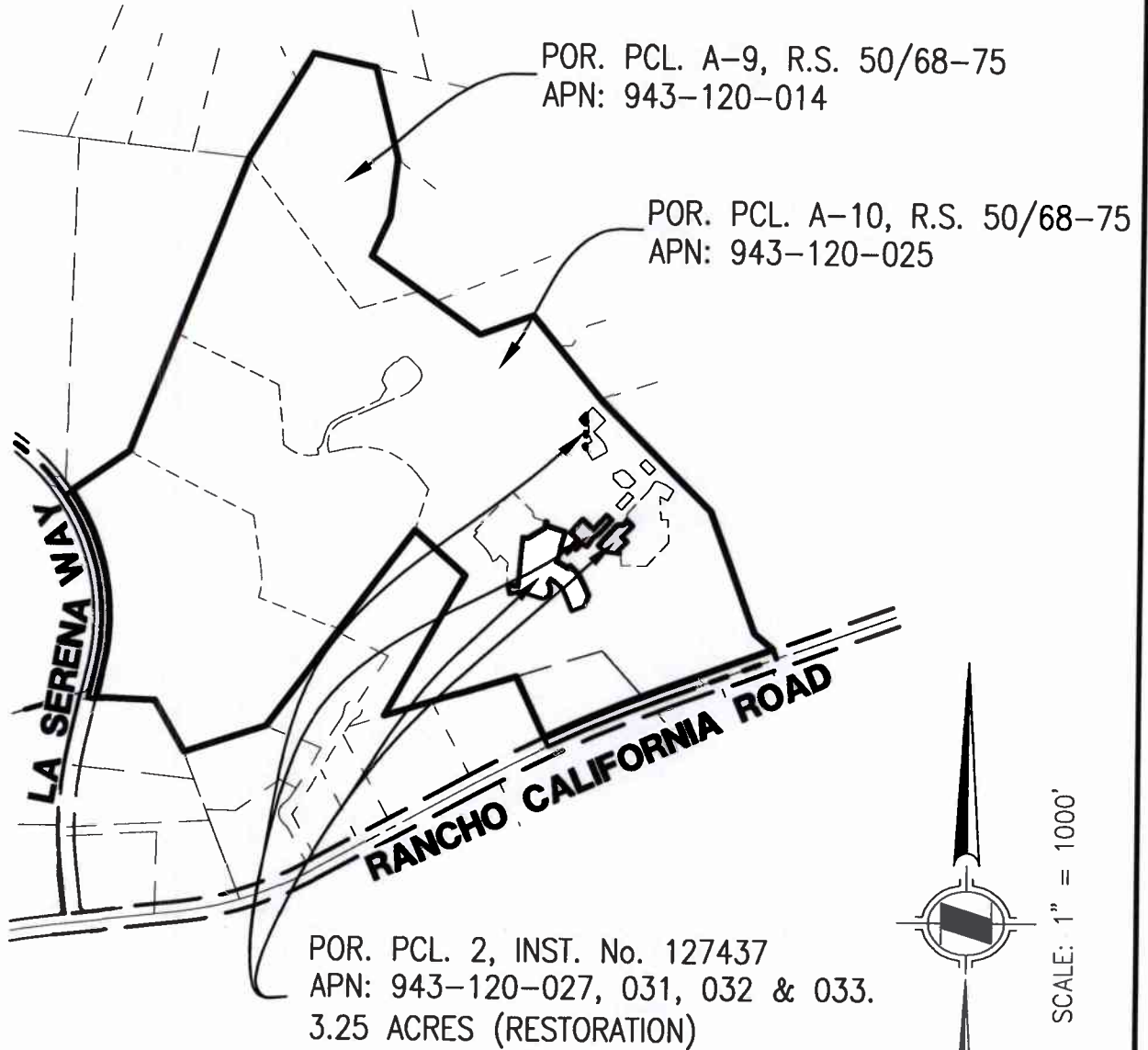
Prepared under the supervision of:



  
Paul R. Huddleston Jr., PLS 7083  
Expires: December 31, 2016

  
Date

**EXHIBIT "B-1"**



PAUL R. HUDDLESTON, JR., PLS 7083

SECTION 27, T.7S., R.2W., S.B.M.

Ag\_01048\_ExhB

PLAT OF A PORTION OF RC No. 4 (AG01048)  
APN: 943-120-027, 031, 032 & 033 (RESTORATION)

PREPARED BY R.Beuschlein	CHECKED BY B.Hay	DATE 1/27/2016	SHEET 1 OF 6
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**HUNSAKER & ASSOCIATES**  
**IRVINE, INC**  
**INLAND EMPIRE REGION**  
2900 ADAMS STREET, SUITE A-15  
RIVERSIDE CA 92504 (951)352-7200  
PLANNING/ENGINEERING/SURVEYING/GOVERNMENT RELATIONS

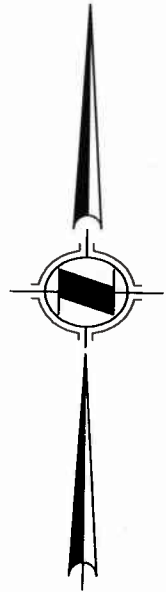
W.O.: 3069-4

SCALE: 1"=1000'



# EXHIBIT "B-1"

PARCEL 4  
(PARCEL 4A, 4B & 4C)  
POR. PCL. 2, INST. No. 127437  
POR. APN: 943-120-025  
0.02 ACRES (RESTORATION)  
AG#4 (AG01048)



SEE  
SHEETS  
5 - 6

PARCEL 3  
POR. PCL. 2,  
INST. No. 127437  
POR. APN: 943-120-032  
0.41 ACRES (RESTORATION)  
AG#4 (AG01048)

SEE SHEET 4

SEE  
SHEET

PARCEL 1  
POR. PCL. 2,  
INST. No. 127437  
POR. APN: 943-120-033  
2.43 AC. (RESTORATION)  
AG#4 (AG01048)

PARCEL 2  
POR. PCL. 2, INST. No. 127437  
POR. APN: 943-120-031  
0.39 ACRES (RESTORATION)  
AG#4 (AG01048)

SECTION 27, T.7S., R.2W., S.B.M. Ag\_01048\_ExhB

PLAT OF A PORTION OF RC No. 4 (AG01048)  
APN: 943-120-027, 031, 032 & 033 (RESTORATION)

PREPARED BY R.Beuschlein	CHECKED BY B.Hay	DATE 1/27/2016	SHEET 2 OF 6
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**HUNSAKER & ASSOCIATES**  
**IRVINE, INC**  
**INLAND EMPIRE REGION**  
2900 ADAMS STREET, SUITE A-15  
RIVERSIDE CA 92504 (951)352-7200  
PLANNING/ENGINEERING/SURVEYING/GOVERNMENT RELATIONS

W.O.: 3069-4

SCALE: 1"=200'

SEE SHEET 6 FOR PARCEL 1 DATA TABLE

# EXHIBIT "B-1"

SEE SHEETS 2 & 5

POR. PCL. 2,  
INST. No. 127437  
APN: 943-120-025

POR. PCL. 2,  
INST. No. 127437  
POR. APN: 943-120-033

SEE  
SHEET

4

SEE SHEET 2

POINT "A"

T.P.O.B.  
PARCEL 1

PARCEL 1  
POR. PCL. 2,  
INST. No. 127437  
POR. APN: 943-120-033  
2.43 AC. (RESTORATION)  
AG#4 (AG01048)

S77°03'53"W  
(R)

S79°15'03"W (R)

N04°55'56"E 273.00'

N73°28'34"W  
118.49'

N22°46'39"E  
(R)

N38°18'59"E  
(PRC)

N67°54'48"E  
(R)

N22°13'18"W  
104.53'

S72°17'04"E  
114.00'

S84°44'45"E 29.72'

S47°23'57"W 250.77'

N14°56'26"W  
323.24'

SCALE: 1" = 100'

SECTION 27, T.7S., R.2W., S.B.M.

Ag\_01048\_ExhB

PLAT OF A PORTION OF RC No. 4 (AG01048)  
APN: 943-120-027, 031, 032 & 033 (RESTORATION)

PREPARED BY R.Beuschlein	CHECKED BY B.Hay	DATE 1/27/2016	SHEET 3 OF 6
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**HUNSAKER & ASSOCIATES**  
**IRVINE, INC**  
**INLAND EMPIRE REGION**  
2900 ADAMS STREET, SUITE A-15  
RIVERSIDE CA 92504 (951)352-7200  
PLANNING/ENGINEERING/SURVEYING/GOVERNMENT RELATIONS

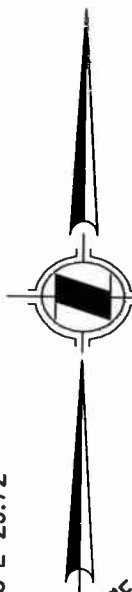
W.O.: 3069-4

SCALE: 1"=100'

SEE SHEET 6 FOR PARCEL 1 DATA TABLE

# EXHIBIT "B-1"

SEE SHEET 5



SCALE: 1" = 50'

PARCEL 3  
 POR. PCL. 2, INST. No. 127437  
 APN: 943-120-032  
 0.41 ACRES (RESTORATION)  
 AG#4 (AG01048)

T.P.O.B.  
 PARCEL 3

PARCEL 2  
 POR. PCL. 2, INST. No. 127437  
 POR. APN: 943-120-031  
 0.39 ACRES (RESTORATION)  
 AG#4 (AG01048)

T.P.O.B.  
 PARCEL 2

POINT "A"

POINT "B"

SEE SHEET 3

SEE SHEET 3

SECTION 27, T.7S., R.2W., S.B.M.

Ag\_01048\_ExhB

PLAT OF A PORTION OF RC No. 4 (AG01048)  
 APN: 943-120-027, 031, 032 & 033 (RESTORATION)

PREPARED BY R.Beuschlein	CHECKED BY B.Hay	DATE 1/27/2016	SHEET 4 OF 6
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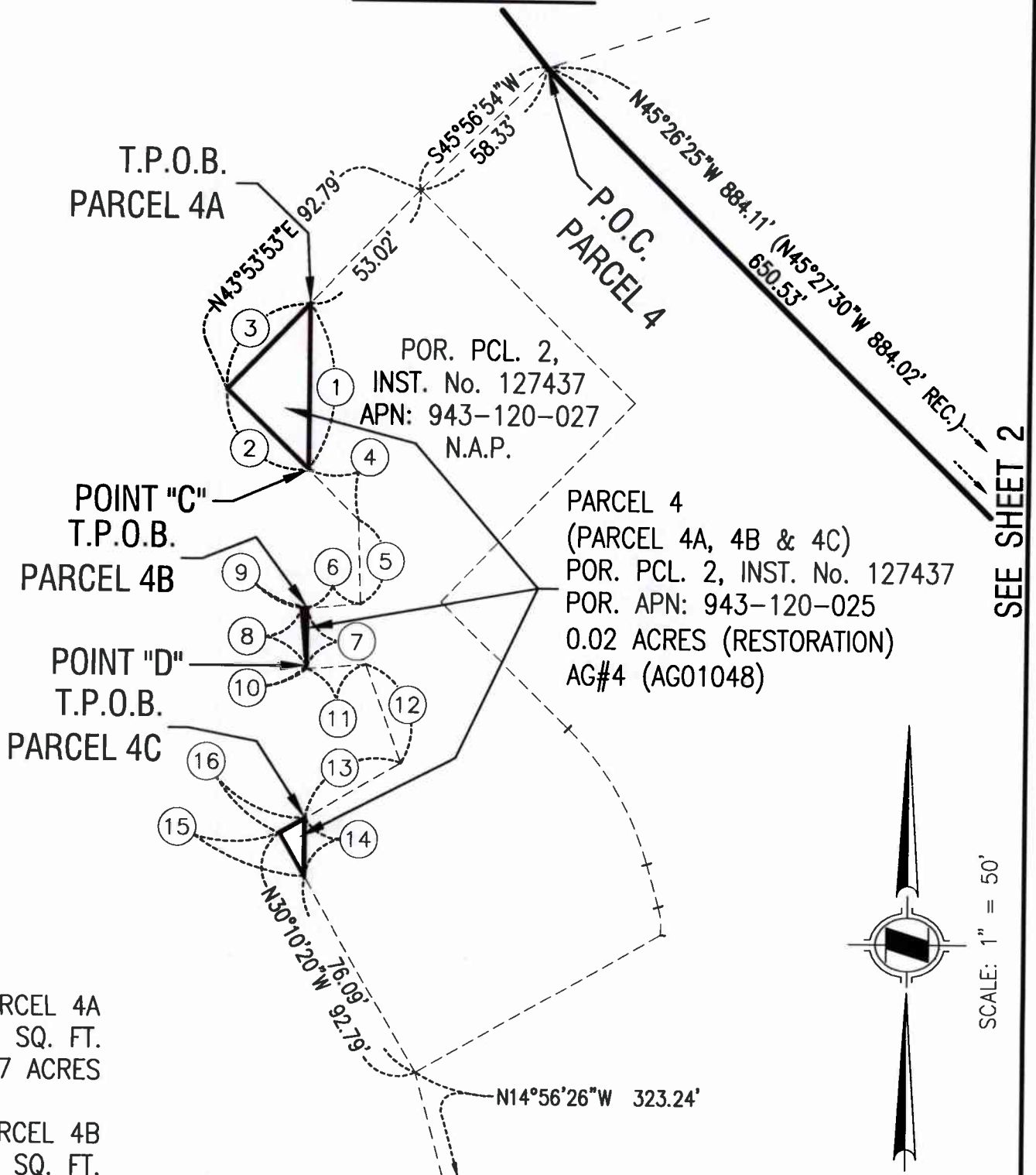
**HUNSAKER & ASSOCIATES**  
 IRVINE, INC  
 INLAND EMPIRE REGION  
 2900 ADAMS STREET, SUITE A-15  
 RIVERSIDE CA 92504 (951)352-7200  
 PLANNING/ENGINEERING/SURVEYING/GOVERNMENT RELATIONS

W.O.: 3069-4

SCALE: 1"=50'

SEE SHEET 6 FOR PARCELS  
 2 & 3 DATA TABLE.

# EXHIBIT "B-1"




PARCEL 4A  
761 SQ. FT.  
0.017 ACRES

PARCEL 4B  
17 SQ. FT.  
0.000 ACRES

PARCEL 4C  
81 SQ. FT.  
0.002 ACRES

SEE SHEETS 2, 3 & 4 SECTION 27, T.7S., R.2W., S.B.M.

Ag\_01048\_ExhB

PLAT OF A PORTION OF RC No. 4 (AG01048) APN: 943-120-027, 031, 032 & 033 (RESTORATION)			
PREPARED BY R.Beuschlein	CHECKED BY B.Hay	DATE 1/27/2016	SHEET 5 OF 6
 <b>HUNSAKER &amp; ASSOCIATES</b> <b>IRVINE, INC</b> <b>INLAND EMPIRE REGION</b> 2900 ADAMS STREET, SUITE A-15 RIVERSIDE CA 92504 (951)352-7200 PLANNING/ENGINEERING/SURVEYING/GOVERNMENT RELATIONS			W.O.: 3069-4
			SCALE: 1"=50'

SEE SHEET 6 FOR PARCEL 4 DATA TABLE



# EXHIBIT "B-1"

## PARCEL 1 DATA TABLE

	BEARING/DELTA	RADIUS	LENGTH	TANGENT
①	S44°33'35"W		59.31'	
②	S30°42'12"W		68.63'	
③	N59°17'48"W		49.93'	
④	S03°32'05"E		133.55'	
⑤	N87°59'09"E		39.37'	
⑥	S02°00'51"E		130.42'	
⑦	S87°59'09"W		142.89'	
⑧	S23°58'06"W		61.03'	
⑨	S67°46'42"W		75.96'	
⑩	43°21'45"	157.09'	118.99'	62.45'
⑪	S24°33'03"W		28.52'	
⑫	S27°17'04"E		19.69'	
⑬	133°48'30"	46.86'	109.44'	109.88'
⑭	S77°00'09"W		60.00'	
⑮	N12°59'51"W		39.93'	
⑯	02°11'10"	332.63'	12.69'	6.35'
⑰	S85°04'04"E		58.57'	
⑱	S85°04'04"E		29.12'	
⑲	N04°55'56"E		34.90'	
⑳	S72°17'04"E		9.25'	
㉑	S17°42'56"W		19.50'	
㉒	S17°42'56"W		83.26'	
㉓	S02°42'56"W		27.75'	
㉔	S17°42'56"W		62.53'	
㉕	15°32'20"	260.00'	70.51'	35.47'
㉖	89°20'47"	3.00'	4.68'	2.97'
㉗	N38°58'12"E		15.02'	(R)
㉘	28°48'30"E	278.00'	139.78'	71.40'
㉙	S22°13'18"E		62.28'	

## PARCEL 2 DATA TABLE

	BEARING/DELTA	RADIUS	LENGTH	TANGENT
①	N80°48'37"W		34.32'	
②	N84°42'33"W		40.59'	
③	N53°45'54"W		56.32'	
④	07°55'02"	268.00'	37.03'	18.55'
⑤	54°02'03"	25.00'	23.58'	12.75'
⑥	79°04'03"	38.00'	52.44'	31.36'
⑦	S45°00'00"E		45.83'	
⑧	S45°00'00"E		42.00'	
⑨	S45°00'00"E		17.85'	

## PARCEL 4 DATA TABLE

	BEARING/DELTA	RADIUS	LENGTH	TANGENT
①	S00°00'00"E		55.20'	
②	N46°06'07"W		38.27'	
③	N43°53'53"E		39.77'	
④	S46°06'07"E		23.84'	
⑤	S01°59'53"E		27.91'	
⑥	S84°42'01"W		18.23'	
⑦	S00°00'00"E		19.15'	
⑧	N05°17'59"W		19.07'	
⑨	N84°42'01"E		1.77'	
⑩	S05°17'59"E		1.04'	
⑪	N84°42'01"E		20.10'	
⑫	S20°21'06"E		34.92'	
⑬	S59°49'40"W		37.31'	
⑭	S00°00'00"E		19.32'	
⑮	N30°10'20"W		16.70'	
⑯	N59°49'40"E		9.71'	

## PARCEL 3 DATA TABLE

	BEARING/DELTA	RADIUS	LENGTH	TANGENT
①	N57°11'12"W		33.23'	
②	N47°17'04"W		33.37'	
③	N47°17'04"W		55.87'	
④	S47°51'53"E		40.17'	
⑤	S55°09'37"W		52.06'	

SECTION 27, T.7S., R.2W., S.B.M.

Ag\_01048\_ExhB

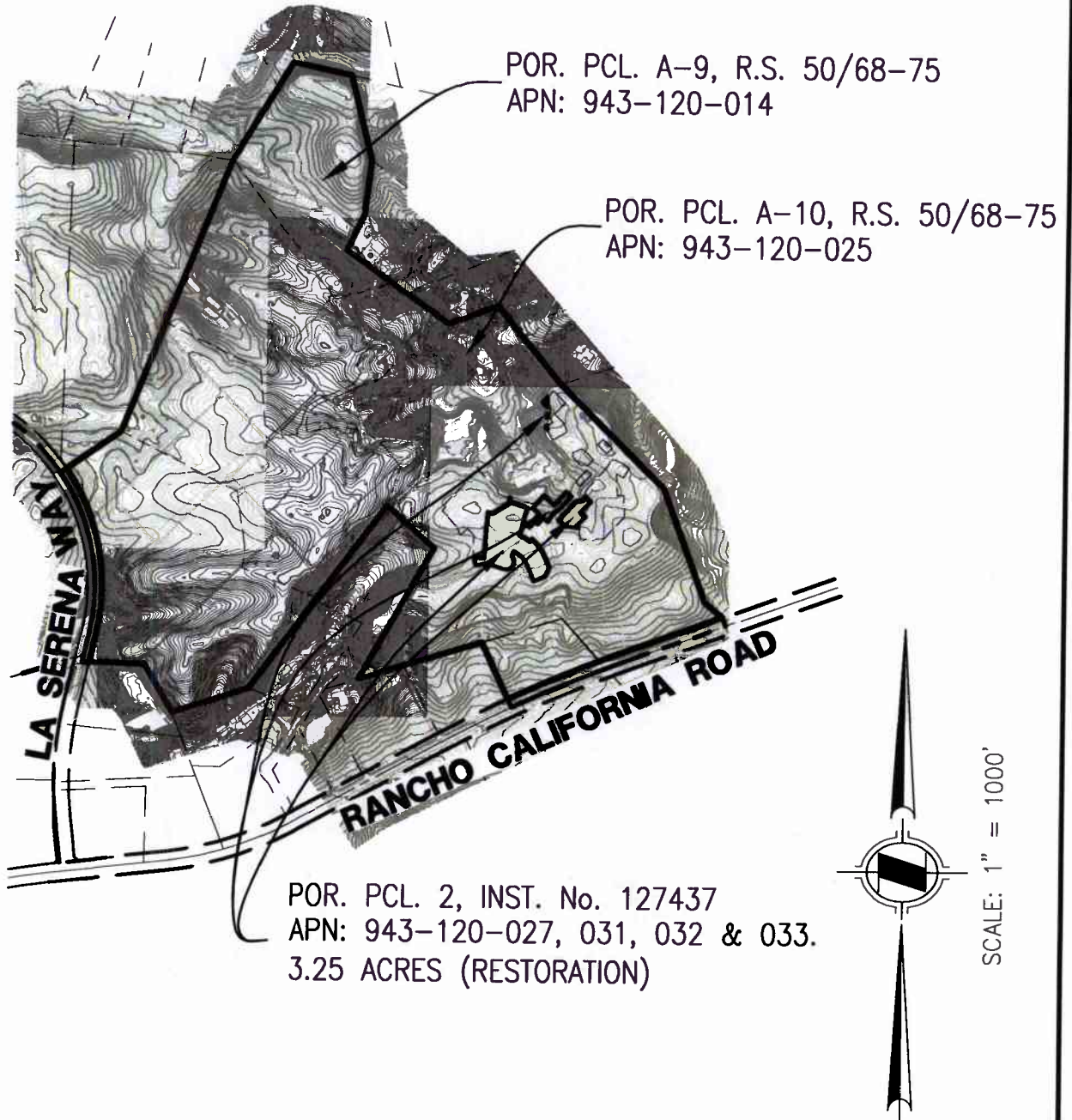
PLAT OF A PORTION OF RC No. 4 (AG01048)

APN: 943-120-027, 031, 032 & 033 (RESTORATION)

PREPARED BY	CHECKED BY	DATE	SHEET 6 OF 6
R.Beuschlein	B.Hay	1/27/2016	
 <b>HUNSAKER &amp; ASSOCIATES</b> <b>IRVINE, INC</b> <b>INLAND EMPIRE REGION</b> 2900 ADAMS STREET, SUITE A-15 RIVERSIDE CA 92504 (951)352-7200 PLANNING/ENGINEERING/SURVEYING/GOVERNMENT RELATIONS			W.O.: 3069-4
			SCALE: N.T.S.




EXHIBIT "C"



PAUL R. HUDDLESTON, JR., PLS 7083

SECTION 27, T.7S., R.2W., S.B.M.

Ag\_01048\_ExhC

PLAT OF A PORTION OF RC No. 4 (AG01048) APN: 943-120-027, 031, 032 & 033 (RESTORATION)			
PREPARED BY R.Beuschlein	CHECKED BY B.Hay	DATE 1/27/2016	SHEET 1 OF 1
 <b>HUNSAKER &amp; ASSOCIATES</b> IRVINE, INC INLAND EMPIRE REGION 2900 ADAMS STREET, SUITE A-15 RIVERSIDE CA 92504 (951)352-7200 PLANNING/ENGINEERING/SURVEYING/GOVERNMENT RELATIONS			W.O.: 3069-4
			SCALE: 1"=1000'

**RESOLUTION NO. 2016-071  
APPROVING AGRICULTURAL PRESERVE CASE NO. 1047,  
ISSUING CERTIFICATE OF TENTATIVE CANCELLATION AND  
DIMINISHMENT OF RANCHO CALIFORNIA  
AGRICULTURAL PRESERVE NO. 4  
(Government Code Section 51283.4)**

**WHEREAS**, a Land Conservation contract was executed by John Poole Radio Properties, Inc. pursuant to the Land Conservation Act of 1965 (Government Code Section 51200 et. seq.) for land within the Rancho California Agricultural Preserve No. 4; and,

**WHEREAS**, such Land Conservation contract dated January 1, 1971, with the County of Riverside is for land currently identified as APN 943-120-025 ("Property") and was recorded on October 14, 1970, as Instrument No. 103843, in the Office of the County Recorder of Riverside County, California; and,

**WHEREAS**, the Property is further described in Exhibits A, B-1 and C for Rancho California Agricultural Preserve Case No. 1047 which are attached hereto and incorporated herein by reference; and,

**WHEREAS**, the total gross acreage of the Property is 16.60 acres; and,

**WHEREAS**, Louidar, LLC, the current owner of the Property, filed a Notice of Nonrenewal on August 28, 2014, which notice was recorded on September 22, 2014, as instrument No. 2014-0359022, in the Office of the County Recorder of Riverside County, California; and,

**WHEREAS**, Louidar, LLC also petitioned to cancel the Land Conservation contract for the Property and to diminish the Rancho California Agricultural Preserve No. 4, as amended through Map No. 1020, by removing the Property from the boundaries of the agricultural preserve; and,

**WHEREAS**, Agricultural Preserve Case No. 1047 will diminish the Rancho California Agricultural Preserve No. 4 in accordance with the map entitled Map No. 110 Rancho California Agricultural Preserve No. 4 as amended through Map No. 1047; and,

FORM APPROVED COUNTY COUNSEL  
BY: MICHELLE CLACK  
DATE: 3/3/16

**WHEREAS**, all the provisions of the California Environmental Quality Act (CEQA) and the Rules and Regulations Governing Agricultural Preserves in Riverside County (Resolution No. 84-526) have been satisfied, including the preparation of a Mitigated Negative Declaration for Environmental Assessment No. 42718; and,

**WHEREAS**, Louidar, LLC has proposed, if the cancellation is approved, that the land will be used for the following alternative use: an expansion of an existing winery/resort (the "Project"); and,

**WHEREAS**, the total amount of the cancellation fee for the Property, pursuant to Section 51283.4 of the Government Code, has been determined and certified by the Board of Supervisors to be \$199,250.00 and,

**WHEREAS**, a public hearing was held on this matter by the Riverside County Board of Supervisors on March 15, 2016.

**BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the Board of Supervisors of the County of Riverside, State of California, in regular session assembled on March 15, 2016, that:

1. The above recitals are incorporated herein by this reference.
2. The subject parcels affected by the proposed diminishment are included under the Land Conservation contract.
3. Pursuant to the Notice of Nonrenewal submitted on August 28, 2014, the Land Conservation Contract on the 16.60 acres will expire on January 1, 2024 (GC 51245 and R&T Code 426(c)).
4. The cancellation fee was determined by the Riverside County Assessor's Office to be a total of \$199,250.00.
5. The 16.60 gross-acre portion of the 172.04 gross-acres subject to the Land Conservation Contract is located northerly of Rancho California Road, easterly of La Serena Way, westerly of Calle Contento, and southerly of Vista Del Monte Road, in the Southwest Area Plan of western Riverside County.
6. According to the Natural Resource Conservation Service, the Soils Capability Classification as indicated in the USDA Soil Survey for Riverside County indicates that the site is one hundred (100) percent within Class III, IV, and VI.



1 7. A Conditional Use Permit (CUP No. 3707) is being processed with this Agricultural Preserve  
2 case and constitutes the proposed alternative land use for the 16.60 gross acres area that is the  
3 subject of this diminishment and cancellation. The proposed alternative land use is consistent  
4 with the Riverside County General Plan, as described in more detail below.

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

- 6 1. The cancellation is for land on which a Notice of Nonrenewal has been served.
- 7 2. The cancellation is not likely to result in the removal of adjacent lands from agricultural use as  
8 the Project will not affect the ability to use adjacent lands for agriculture. Rancho California  
9 Agricultural Preserve No. 4 originally consisted of 172.04 acres. This cancellation proposes to  
10 remove 16.60 gross acres from the Agricultural Preserve. The remaining acreage in the  
11 Agricultural Preserve will ensure the viability for long-term continued agricultural production  
12 on Rancho California Agricultural Preserve No. 4 and the adjoining agricultural preserves.
- 13 3. The cancellation is for an alternative use that is consistent with the applicable provisions of the  
14 Riverside County General Plan. Specifically, the Project directly implements the Wine  
15 Country – Winery District of the Temecula Valley Wine Country Policy Area. This District  
16 provides that the primary purpose of the Winery District is to promote the establishment of  
17 additional commercial activities that support tourism while ensuring long-term viability of the  
18 wine industry. The secondary purpose of the Winery District is to recognize, and allow the  
19 expansion of, existing wineries that are integral part of the Temecula Valley Wine Country  
20 economy. The Project directly implements this policy by allowing the expansion of an  
21 existing winery and its commercial activities that support tourism and thus is consistent with  
22 the General Plan.
- 23 4. The cancellation will not result in discontinuous patterns of urban development because the  
24 existing General Plan land use designations and zoning classifications for the subject site and  
25 the surrounding parcels limit commercial and residential development and therefore provide a  
26 buffer for the subject site and the surrounding parcels from urbanization. The Project would  
27 be located on disturbed land in rural Riverside County that has been deemed appropriate for  
28

winery/resort facilities. Therefore, the Project is not expected to result in discontinuous patterns of urban development.

5. There is also no other nearby parcel that is not subject to a land conservation contract and that is both available and suitable for the Project. The Project is located adjacent to the existing winery/resort and serves as an expansion of the existing use. As a result, there is no non-contracted land which is both available and suitable for the Project based on available adjacency to the existing facility, environmental resources and land use impacts.
6. Therefore, based on the above, the public's interest in implementing the goals and policies of the Temecula Valley Wine Country Policy Area substantially outweighs the purpose of the Williamson Act and there is no proximate, noncontracted alternative land available and suitable for the proposed Project.
7. Diminishing Agricultural Preserve No. 4 by removing 16.60 gross acres will not have a significant adverse effect upon the environment and a Mitigated Negative Declaration for Environmental Assessment No. 42718 is adopted based on the findings incorporated in the initial study.

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

1. The cancellation fee of \$199,250.00 shall be paid; and,
2. All conditions necessary for the County to issue grading permits for any portion of CUP No. 3707 shall have been met; and,
3. The landowner shall notify the Board of Supervisors when all conditions and contingencies enumerated in this Certificate of Tentative Cancellation have been satisfied with respect to the Land Conservation Contract. Within 30 days of receipt of such notice, and upon determination that the conditions and contingencies have been satisfied, the Board of Supervisors shall cause to be executed and recorded a Certificate of Final Cancellation with respect to the Land Conservation Contract.



1       **BE IT FURTHER RESOLVED** by the Board of Supervisors that the Clerk of this Board shall  
2 file and record copies of this resolution, Property description as shown in Exhibits A, B-1 and C, and the  
3 map entitled Map No. 110 Rancho California Agricultural Preserve No. 4 as amended through Map No.  
4 1047, in the Office of the County Recorder of Riverside County, California, and transmit copies thereof to  
5 the Director of Conservation of the State of California, the Treasurer of Riverside County, and the  
6 Assessor of Riverside County; and that upon fulfillment of all of the conditions, the landowners will be  
7 entitled to a Certificate of Final Cancellation that provides as follows:

- 8       1. Map No. 110 Rancho California Agricultural Preserve No. 4 as adopted on September 21,  
9       1970, amended by Map No. 1020, is further amended by Map No. 1047 deleting therefrom the  
10       area shown and described in Exhibits A, B-1 and C, attached hereto, being on file in the Office  
11       of the Clerk of the Board.
- 12       2. The Land Conservation Contract will be canceled to the extent said contract applies to the land  
13       referenced in the petition for cancellation of the aforementioned property owner, thereby  
14       removing from the effect of said contract the real property in the County of Riverside, State of  
15       California, described in Exhibit A attached hereto.

16       **BE IT FURTHER RESOLVED** by the Board of Supervisors that, if any portion of the  
17 cancellation fee of \$199,250.00 is not paid within one year following the recordation of this Certificate of  
18 Tentative Cancellation, that portion of the fee shall be recomputed pursuant to Government Code Section  
19 5.1283.4 (a), and the applicable landowner shall be required to pay the applicable portion of the  
20 recomputed fee as a condition to issuance of a Certificate of Final Cancellation of the Land Conservation  
21 Contract.

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

# MAP NO. 110 RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 4

AMENDED BY MAP NO. 317, 1020, 1047

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



## AMENDMENTS:

NO. 1, (DIMINISHMENT), DENIED,	MAP NO. 317
NO. 2, (DIMINISHMENT), TENTATIVE,	MAP NO. 1020
NO. 3, (DIMINISHMENT), TENTATIVE,	MAP NO. 1047

ADOPTED ON SEPTEMBER 21, 1970  
BY THE BOARD OF SUPERVISORS  
OF THE COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA.

# EXHIBIT "A"

## RANCHO CALIFORNIA AGRICULTURAL PRESERVE No. 4 DIMINISHMENT (AG01047)

### LEGAL DESCRIPTION

Those portions of Parcels A-9 and A-10 of Record of Surveys filed in Book 50, pages 68 through 75, inclusive, together with a portion of Parcel No. 2 of Instrument No. 1965-127437, recorded November 9, 1965, all records of Riverside County Recorder's Office located in Sections 27 and 34 of Township 7 South, Range 2 West of the Unincorporated Territory of Riverside County, State of California, more particularly described as follows:

#### PARCEL 1:

**Commencing** at the northwesterly end of that course on the southerly side of above said Parcel 2 of Instrument No. 1965-127437 and Record of Surveys filed in Book 50, pages 68 through 75, inclusive, shown as "North 48°50'33" West 379.91 feet" per Record of Surveys filed in Book 50, pages 68 through 75, inclusive;

thence along said southerly line, South 48°50'53" East, 154.84 feet;

thence departing said southerly line, North 41°09'07" East 20.11 feet to a curve concave easterly having a radius of 190.00 feet, a radial line to the beginning of said curve bears South 41°09'07" West, said point also being the **True Point of Beginning**;

thence northerly 211.30 feet along said curve through a central angle of 63°43'09" to a reverse curve concave westerly having a radius of 110.00 feet;

thence northerly 85.31 feet along said curve through a central angle of 44°26'06";

thence non-tangent from said curve North 17°53'52" East 41.76 feet;

thence North 53°05'17" East 46.51 feet to a non-tangent curve concave southwesterly having a radius of 190.00 feet, a radial line to the beginning of said curve bears North 50°04'16" East;

thence southeasterly 34.61 feet along said curve through a central angle of 10°26'12";

thence non-tangent from said curve North 72°39'39" East 7.27 feet;

thence North 17°53'52" East 51.00 feet;

thence North 17°14'30" East 165.33 feet;

thence North 17°53'52" East 228.64 feet;

thence North 81°16'20" East 126.25 feet;

## EXHIBIT "A"

thence North 90°00'00" East 69.86 feet;

thence South 38°26'08" East 196.03 feet;

thence South 09°07'41" East 337.85 feet;

thence South 85°04'04" East 71.59 feet;

thence South 13°25'34" East 107.82 feet;

thence South 04°55'56" West 15.54 feet;

thence North 72°17'04" West 71.72 feet;

thence North 10°02'04" West 33.92 feet;

thence North 46°13'36" West 160.50 feet;

thence South 43°46'24" West 300.00 feet;

thence South 46°13'36" East 18.00 feet;

thence South 43°46'24" West 30.00 feet;

thence South 46°13'36" East 73.13 feet to a curve concave southwesterly having a radius of 213.72 feet;

thence southeasterly 105.42 feet along said curve through a central angle of 28°15'46";

thence non-tangent from said curve North 71°59'38" East 18.00 feet;

thence North 43°46'24" East 39.62 feet;

thence South 46°13'36" East 59.32 feet to a non-tangent curve concave easterly having a radius of 332.63 feet, a radial line to the beginning of said curve bears North 78°46'26" West;

thence southerly 127.58 feet along said curve through a central angle of 21°58'31";

thence non-tangent from said curve North 85°04'04" West 145.19 feet;

thence North 54°27'27" West 164.03 feet;

thence North 48°50'53" West 158.05 feet to the **True Point of Beginning**.

Containing 7.70 acres, more or less.