

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



ITEM
3.56
(ID # 9133)

MEETING DATE:
Tuesday, July 23, 2019

FROM: TLMA-PLANNING:

SUBJECT: TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: Agricultural Preserve Case No. 00184 - Approval of a Williamson Act Land Conservation Contract. CEQA exempt pursuant to State CEQA Guidelines section 15317. Applicant: Mecca Star Ranches c/o Michael Bozick - Owners: Mali Basta Ranches, LLC - Fourth Supervisorial District – Eastern Coachella Valley District - Agriculture: Agriculture (10 Acre Minimum) - Location: North of Airport Blvd., east of Pierce Street, south of 54th Avenue, and west of Buchanan Street – 49.42 acres - Zoning: Light Agriculture (A-1) 20 Acre Minimum - REQUEST: Approval of Land Conservation Contract for the Coachella Valley Agricultural Preserve No. 24, Map No. 153 - APNs: 763-380-012, 763-380-013, 763-380-014 and 763-380-015. District 4. [Applicant Fees 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. **FIND** the approval of the attached Land Conservation Contract exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines section 15317;
2. **APPROVE** and **AUTHORIZE** the chairman of the Board of Supervisors to execute the attached Land Conservation Contract for real property located within the Coachella Valley Agricultural Preserve No. 24, Map No. 153, based upon the findings and conclusions set forth herein; and

ACTION:Policy

Charissa Leach, Assistant TLMA Director 5/24/2019

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: July 23, 2019
xc: Planning

Kecia R. Harper
Clerk of the Board
By:
Deputy

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

RECOMMENDED MOTION: That the Board of Supervisors (Continued):

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

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

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The Williamson Act, also known as the California Land Conservation Act of 1965, allows local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In exchange, these landowners are provided a reduction in property taxes based upon farming and open space uses rather than higher taxed non-agricultural uses.

FINDINGS:

1. The subject property is located north of Airport Blvd., east of Pierce Street, south of 54th Avenue, and west of Buchanan Street in Coachella Valley Agricultural Preserve No. 24.
2. A previous owner of the subject property entered into a Land Conservation Contract with the County on January 1, 1972, which was recorded on February 29, 1972, as Instrument No. 26783.
3. Subsequently, a notice of nonrenewal was filed on the subject property which was recorded on September 12, 2005, as Instrument No. 2005-0751898. This notice caused the previous contract, as it applies to the subject property, to expire on December 31, 2014.
4. The current owner of the subject property, Mali Basta Ranches, LLC, has requested to enter into a new Land Conservation Contract as provided for in Resolution No. 84-526, Rules and Regulations Governing Agricultural Preserves in Riverside County.

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

5. The city of Coachella lies within one mile of the subject property and it currently meets all size, zoning, and use requirements necessary to be placed under a new Land Conservation Contract. The City of Coachella was notified of this potential contract on June 3, 2019 as per the requirements of Resolution No. 84-526, Rules and Regulations Governing Agricultural Preserves in Riverside County.
6. The land is eligible to be under contract because it is within the approved and existing Coachella Valley Agricultural Preserve No. 24, Map No. 153, and the land is devoted to row crop agricultural production, which is an eligible agricultural use to be the subject of a land conservation contract between the County and the landowner.
7. The approval and execution of this Land Conservation Contract for the 49.42 acres does not authorize development on the property. It only places real property that was previously subject to a Williamson Act Land Conservation Contract back under the terms and obligations of the attached Land Conservation Contract. As a result, approval of this Land Conservation Contract is exempt from the State CEQA Guidelines section 15317 which provides the making and renewing of open space contracts under the Williamson Act are exempt from CEQA.

CONCLUSION:

1. The execution of this land contract is consistent with the provisions of the Land Conservation Act of 1965 and Resolution No. 84-526, Rules and Regulations Governing Agricultural Preserves in Riverside County, as adopted by the Board of Supervisors.
2. The execution of this contract is consistent with the Riverside County General Plan.

Impact on Residents and Businesses

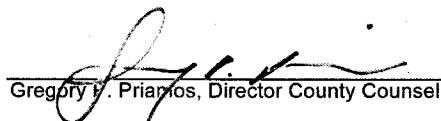
None. The proposed action is the approval of a Williamson Act Land Use Contract on land within an existing agricultural preserve to allow the property owner to benefit from reduced property taxes.

ATTACHMENTS.

- A. LAND CONSERVATION CONTRACT**
- B. NOTICE OF NON-RENEWAL**
- C. NOTIFICATION TO CITY OF COACHELLA AND RESPONSE OF RECEIPT**


Jason Farin, Senior Management Analyst

7/16/2019


Gregory P. Priamos, Director County Counsel

7/3/2019

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, 1st Floor

No fee, 6103 Government Code

2019-0278466

07/25/2019 02:12 PM Fee: \$ 0.00

Page 1 of 5

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



11²

LAND CONSERVATION CONTRACT

COUNTY OF RIVERSIDE, herein called "County," and

Mali Basta Ranches, 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 Coachella Valley Agricultural Preserve No. 24, Map No. 153.
2. This contract shall take effect on January 1, 2019, 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

JUL 23 2019 3.570

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, 2019

STATE OF CALIFORNIA
COUNTY OF RIVERSIDE

ATTEST:
Clerk of the Riverside County Board of Supervisors

BY [Signature]
Chairman, Board of Supervisors
KEVIN JEFFRIES

By [Signature]
(Seal) Deputy

FORM APPROVED COUNTY COUNSEL
BY: [Signature] 5/24/2019
LYNETTE M. CLYDE DATE

OWNER(S) SIGNATURE AND ADDRESS

Owner: Michael Bozick, Owner [Signature] Mali Basta Ranches, LLC
Owner: Bobbie Bozick, Owner [Signature]
Owner: _____
Owner: _____

Mailing Address: 65500 Lincoln Street, Mecca, California 92254

NOTARY ACKNOWLEDGMENT

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

STATE OF CALIFORNIA)

COUNTY OF Riverside)

On April 12, 2017 before me, Amy Cassandra Walling, Notary Public,
(Date) (Name and Title of officer)

personally appeared Michael Bozick and Bobbie Bozick,
(Name(s) of signer(s))

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

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

WITNESS my hand and official seal

Amy C Walling
Notary Public

{SEAL}

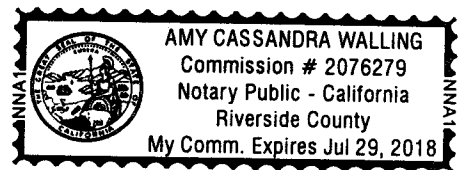


EXHIBIT A
COACHELLA VALLEY AGRICULTURAL PRESERVE NO.
24 MAP NO.153

All of that portion of the unincorporated territory of Riverside County, State of California, described as follows:

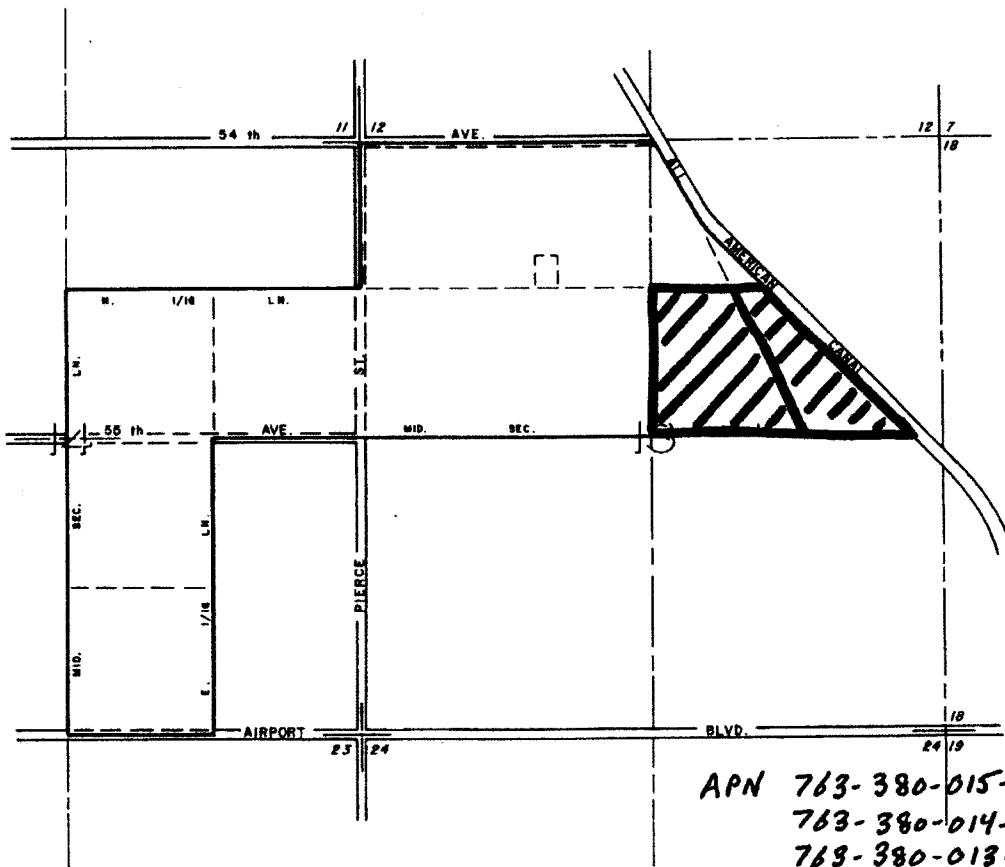
The South half of the Northeast quarter of Section 13, Township 6 South, Range 8 East, San Bernardino Base Meridian, except that portion of said Section 13 lying Northeast of the All American Canal.

Assessor Parcel No.	Acres (net)	Owners
763-380-012-2	0.39	Michael Bozick and Bobbie J. Bozick
763-380-013-3	19.60	
763-380-014-4	0.51	
763-380-015-5	28.92	
Total	49.42	

MAP NO. 153 COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 24

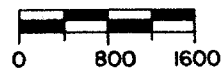
T. 6S, -R. 8E.

2005-0751898
09/12/2005 08:06A
5 of 5



APN 763-380-015-5
763-380-014-4
763-380-013-3
763-380-012-2

ADOPTED ON JANUARY 11, 1972
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA





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

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

www.riversideacr.com

CERTIFICATION

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

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

Clarification of the Seal for the Riverside County Board of Supervisors
(embossed on the document)



Date:

7-23-19

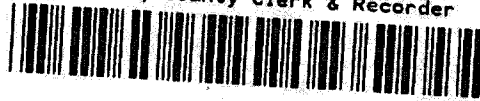
Signature:

Karen Barton

Print Name:

Karen Barton, Board Assistant

Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder



PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

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

AND WHEN RECORDED MAIL TO:

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

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DT

Filed 01/18/05
OK'd 02/30/05

AGN00110

NOTICE OF NONRENEWAL

NOTICE IS HEREBY GIVEN pursuant to Section 51245 of the California Government Code that the undersigned, being all of the owners of the affected real property, elect not to renew Land Conservation Contract or Agreement dated 01/01/72 and recorded on 02/29/72 as Instrument No. 26783 in the Office of the County Recorder of Riverside County, California. The real property affected by this notice is located in the ~~Loma Verde Ranch~~ Agricultural Preserve No. 24, Map No. 153. Dated: 02/11/72.
Coachella Valley

(See attached Legal)

Assessor's Parcel Number(s) of land affected: 763-380-013-3, 763-380-14-4, 763-380-015-5
763-380-013-3, 763-380-014-4, 763-380-015-5, 763-380-012-2

ORIGINAL OWNER(S)

Loma Verde Ranch, Inc.
--Drake & Pamela Larson--

CURRENT OWNER(S)

Michael Bozick owner
Signature (Title and Company if applicable)
Michael Bozick, Owner
Print Name
Bobbie J. Bozick, Owner
Signature (Title and Company if applicable)
Bobbie J. Bozick, Owner
Print Name

(All original and current owners must be listed)

Acknowledgement of Receipt
Nancy Romero, Clerk of the Board

By Jamara Schlemmer
Deputy

Date: 9-12-05

ORIGINAL



GARY L. ORSO
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER

Recorder
P.O. Box 751
Riverside, CA 92502-0751
(909) 486-7000
<http://riverside.asrcclrec.com>

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

Page 1, 1st Paragraph:

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Dated: 02/11/72.

ORIGINAL owner(s)
DRAKE + PAMELA LARSON

Date: August 30, 2005

Signature: Kathleen A. Browne

Print Name: Kathleen A. Browne
Urban Regional Planner III
Riverside County Planning Dept.



2005-0751898
69/12/2005 08:00A
3 of 5



STATE OF CALIFORNIA, COUNTY OF Riverside

On Jan. 12, 2005 before me personally appeared

Michael Bozick, Owner

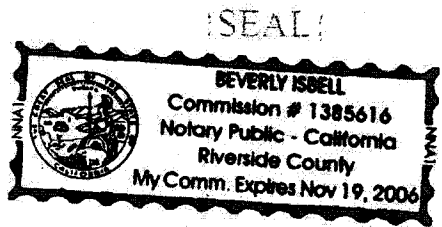
Bobbie J. Bozick, Owner

personally known to me (~~or 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 they executed the same in authorized capacity(ies), and that they by their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Beverly Isbell

Notary Public



**EXHIBIT A
 COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 24
 MAP NO. 153
 (NOTICE OF NON-RENEWAL)**

All of that portion of the unincorporated territory of Riverside County, State of California, described as follows:

The South half of the Northeast quarter of Section 13, Township 6 South, Range 8 East, San Bernardino Base Meridian, except that portion of said Section 13 lying Northeast of the All American Canal.

Assessor Parcel No.	Acres (net)	Owners
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763-380-013-3	19.60	
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763-380-015-5	28.92	
Total	49.42	

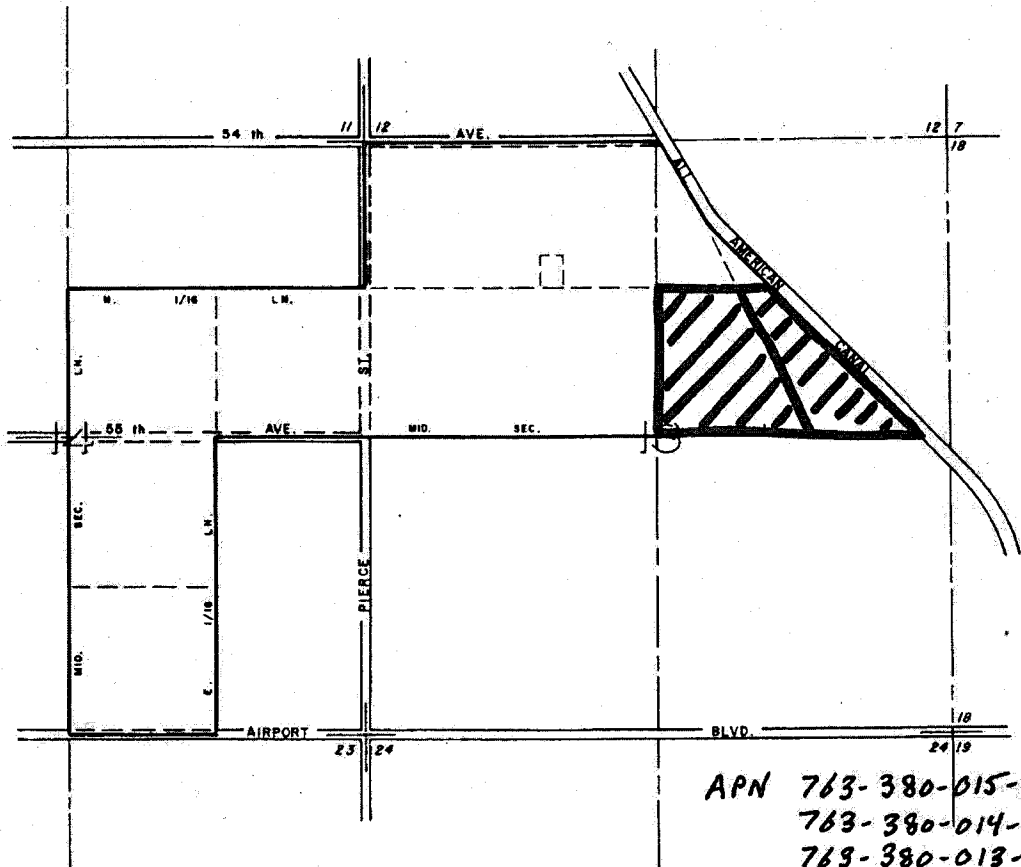


2005-0751898
 09/12/2005 08:00A
 4 of 5

MAP NO. 153 COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 24

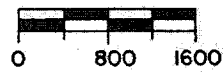
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2005-0751898
08/12/2005 08:06A
5 of 5



APN 763-380-015-5
763-380-014-4
763-380-013-3
763-380-012-2

ADOPTED ON JANUARY 11, 1972
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA



Harris, Dionne

To: Luis Lopez
Subject: RE: Agricultural Preserve Contracts 30 Noticing

From: Luis Lopez [mailto:llopez@coachella.org]
Sent: Monday, June 3, 2019 4:55 PM
To: Harris, Dionne <DHarris@RIVCO.ORG>
Subject: RE: Agricultural Preserve Contracts 30 Noticing

Hi Dionne,

Thank you for the notice.

Luis Lopez
Development Services Director
City of Coachella
1515 Sixth Street
Coachella, CA 92236
Tel: (760)398-3102
Fax: (760)398-5421
LLopez@coachella.org

From: Harris, Dionne [mailto:DHarris@RIVCO.ORG]
Sent: Monday, June 03, 2019 9:57 AM
To: Luis Lopez
Subject: Agricultural Preserve Contracts 30 Noticing

Hi Luis,

Please consider this email as a 30 notice prior to the Board of Supervisors intent to consider the execution for the two Contracts in Agricultural Preserves within a mile of the City of Coachella below:

1. TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING CASE NO. AGN00184: Approval of a Williamson Act Land Conservation Contract. CEQA exempt pursuant to State CEQA Guidelines section 15317. Applicant: Mecca Star Ranches c/o Michael Bozick - Owners: Mali Basta Ranches LLC - Fourth Supervisorial District – Eastern Coachella Valley District - Agriculture: Agriculture (10 Arce Minimum) - Location: North of Airport Boulevard, east of Pierce Street, south of 54th Avenue, and west of Buchanan Street – 49.42 acres - Zoning: Light Agriculture (A-1) 20 Acre Minimum - REQUEST: Approval of Land Conservation Contract for the Coachella Valley Agricultural Preserve No. 24, Map No. 153 - APN: 763-380-012, 763-380-013, 763-380-014 and 763-380-015.
2. TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING CASE NO. AGN00188: Approval of a Williamson Act Land Conservation Contract. CEQA exempt pursuant to State CEQA Guidelines section 15317. Applicant: Michael Bozick - Engineer/Representative: Grand Star Properties LLC - Fourth Supervisorial District – Eastern Coachella Valley District - Agriculture: Agriculture (10 Arce Minimum) - Location: North of 57th Avenue, east of Pierce Street, south of Airport Boulevard, and west of Fillmore Street - 40 acres - Zoning: Heavy Agriculture (A-2) 20 Acre Minimum - REQUEST: Approval of Land Conservation Contract for the Coachella Valley Agricultural Preserve No. 8, Map No. 119 - APN: 757-120-002.

Please let me know if you have any questions.

Thank you,

Dionne Harris, M.Arch
Urban Regional Planner II
Riverside County Planning Department
4080 Lemon Street, 12th Floor
Riverside, CA 92501
(P):951-955-6836
(F):951-955-1811
email: dharris@rivco.org
Website: <http://planning.rctlma.org>



RIVERSIDE COUNTY
PLANNING DEPARTMENT

How are we doing? Click the Link and tell us

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County of Riverside California