

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

405 B



FROM: TLMA - Planning Department

SUBMITTAL DATE: June 13, 2003

SUBJECT: GENERAL PLAN AMENDMENT NO. 626 / CHANGE OF ZONE NO. 6694/
TENTATIVE TRACT MAP NO. 30701 / TENTATIVE TRACT MAP NO. 30702 /
AGRICULTURAL PRESERVE NO. 877- EA38714 and EA38743 - JMS-Chandler, LLC
- Second Supervisorial District - Eastvale Area - A-2-10 and R-3 zoning - Schedule A -
Located south of Chandler Street, north of the Santa Ana River, west of Harrison
Avenue and east of Grapewin - REQUEST: GPA626, proposes to amend the Jurupa
Community Plan from Agriculture/Development Reserve and Residential 3A (.4-2
Du/Ac, 2 1/2 - 1 1/2 min) to Residential 2B (2-5 Du/Ac) on 84.76 acres. / CZ6694,
proposes to change the zoning on the subject property from Heavy Agriculture, 10 acre
and General Residential to Planned Residential on 84.76 acres. / TR30701, proposes to
divide 56.54 acres into 216 single family residential lots with a minimum lot size of 6,500
square feet, and an average lot size of 7,964 square feet. / TR30702, proposes to divide
28.22 acres into 95 single family residential lots with a minimum lot size of 6,500 square
feet, and an average lot size of 8,986 square feet. / AG00877, proposes cancellation of
the associated land conservation contract.

CONTROVERSIAL ISSUES: None

RECOMMENDED MOTION:

The Planning Department recommended Approval
THE PLANNING COMMISSION BY A VOTE OF 4-0 (Commissioner Porras was
absent) RECOMMENDS:

**ADOPTION of a MITIGATED NEGATIVE DECLARATION for ENVIRONMENTAL
ASSESSMENT NO. 38714 and 38743, based on the findings and mitigations**

Ron Goldman, Interim Planning Director

RG:ar

(Continued On Attached Pages)

REVIEWED BY EXECUTIVE OFFICE
[Signature]
DATE 6/18/03

Policy
 Policy

Consent
 Consent

Department Recommendation:
Per Executive Office:

Prev. Agn. Ref.

Dist. Second

AGENDA NO.

9.2

The Honorable Board of Supervisors

RE: GENERAL PLAN AMENDMENT NO. 626 / CHANGE OF ZONE NO. 6694/
TENTATIVE TRACT MAP NO. 30701 / TENTATIVE TRACT MAP NO. 30702 /
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incorporated in the initial study and the conclusion that the project, as conditioned, will have a significant effect on the environment; and,

TENTATIVE APPROVAL of GENERAL PLAN AMENDMENT NO. 626, from Agricultural/Development Reserve and Residential 3A (.4-2 Du/ Ac) to Residential 2B (2-5 Du/Ac) in accordance with Exhibit 6A pending the adoption of the general plan amendment resolution by the Board of Supervisors; and,

ADOPTION of the RESOLUTION RECOMMENDING ADOPTION of GENERAL PLAN AMENDMENT NO. 626 to the Board of Supervisors; and,

TENTATIVE APPROVAL of CHANGE OF ZONE NO. 6694, from A-2-10 and R-3 to R-4 in accordance with Exhibit 2 pending the adoption of the general plan amendment resolution by the Board of Supervisors; and,

ADOPTION of the RESOLUTION RECOMMENDING ADOPTION of CHANGE OF ZONE NO. 6694 to the Board of Supervisors; and,

APPROVAL of TENTATIVE TRACT MAP NO. 30701, subject to the attached conditions of approval, based on the findings and conclusions incorporated in the staff report; and,

APPROVAL of TENTATIVE TRACT MAP NO. 30702, subject to the attached conditions of approval, based on the findings and conclusions incorporated in the staff report.

APPROVAL of AGRICULTURAL PRESERVE CASE NO. 877, to diminish Mira Loma Agricultural Preserve No. 6, as amended, and cancel the associated land conservation contract in accordance with Agricultural Preserve Map No. 877.

BACKGROUND:

Related to General Plan Amendment No. 626, Change of Zone No. 6694, Tentative Tract No. 30701 and Tentative Tract No. 30702 is an application to diminish an agricultural preserve and to cancel the associated land conservation contract. The Comprehensive Agricultural Preserve Technical Advisory Committee considered this application on April 24, 2003.

Agricultural Preserve Case No. 877

Agricultural Preserve Case No. 877 is a request by Marie and Michel Minaberry, Trustees for the Minaberry Family Trust, to diminish Mira Loma Agricultural Preserve

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No. 6, Map No. 19 and cancel the land conservation contract as it applies to the 25.12-acre site. General Plan Amendment No. 626, Change of Zone No. 6694 and Tentative Tract No. 30702 are the applicant's proposed alternative land use of the site upon cancellation of the current land conservation contract.

The Comprehensive Agricultural Preserve Technical Advisory Committee (CAPTAC) met on April 24, 2003 and recommended approval of the proposed cancellation based on the findings contained in the attached CAPTAC report.

Should the Board of Supervisors authorize tentative approval of the proposed cancellation, the applicant would be required to comply with the following conditions prior to issuance of a Certificate of Final Cancellation as outlined in Government Code Section 51283.4:

1. The cancellation fee of \$175,875.00 shall be paid; and
2. All conditions necessary for the County to issue grading permits for Tract Map No. 30702 (Assessor's Parcel No. 130-060-010-5 and 130-060-004-0) shall have been met.

When all conditions and contingencies enumerated in the Certificate of Tentative Cancellation have been satisfied, the landowner shall notify the Board of Supervisors. 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.

FINDINGS:

1. The 25.12-acre site proposed for deletion from Mira Loma Agricultural Preserve No. 6 is located northerly of the Santa Ana River, south of the easterly extension of Chandler Street, east of the southerly extension of Harrison Avenue and west of the southerly extension of Sumner Avenue.
2. The site currently sustains an operating dairy with approximately two hundred (200) dairy cows.
3. The soils on the site are seventy-five percent Class I and Class II, and twenty-five percent Class III, Class IV and Class V.
4. Jane Koning and John Walter Koning, husband and wife, entered into a land conservation contract with the County of Riverside for land within Mira Loma Agricultural Preserve No. 6. The contract is dated January 1, 1971 and was

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recorded on February 26, 1971 as Instrument No. 19418 in the Office of the County Recorder of Riverside, California.

5. A notice of non-renewal was filed with the Planning Department on July 15, 1997, and was recorded by the Riverside County Clerk and Recorder on August 12, 1997, as Instrument No. 285994. Pursuant to the notice of non-renewal the land conservation contract will expire January 1, 2008.
6. The landowner has applied for Tentative Tract Map No. 30702 in conjunction with General Plan Amendment No. 626 and Change of Zone No. 6694 as the alternative use of the site, as required by the cancellation procedures for a land conservation contract. The tract map proposes a to subdivide the affected parcels into 95 single-family residential lots.
7. Upon approval of General Plan Amendment No. 626 and Change of Zone No. 6694, the proposed alternative use will be consistent with the existing Riverside County Comprehensive General Plan and the proposed zoning.
8. The site is contiguous to residential development on the north and there are existing entitlements for urban development to the north, south, east and west.
9. Development of the contracted land will result in a more contiguous pattern of urban development than the non-contracted lands in the vicinity.
10. The cancellation fee was determined by the Riverside County Assessor's Office to be \$175,875.00.

CONCLUSIONS:

1. The cancellation is for land on which a notice of non-renewal has been served.
2. The cancellation will not result in the removal of adjacent lands from agricultural use.
3. The cancellation is for an alternative use which is consistent with the applicable provisions of the County general plan.
4. The cancellation will not result in discontinuous patterns of urban development.
5. Development of the contracted land would provide more contiguous patterns of urban development that development of proximate noncontracted land.