

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

607 B



FROM: TLMA - Planning Department

SUBMITTAL DATE: 9/24/03


SUBJECT: GENERAL PLAN AMENDMENT NO. 652 / CHANGE OF ZONE NO. 6756 / TENTATIVE TRACT MAP NO. 30735 - AGRICULTURAL PRESERVE NO. 891 - EA38919 - Standard Pacific Housing - Second Supervisorial District - Eastvale Area - 75.03 Acres - 255 Single Family Residential lots and 2 Open Space lots - A-2-10 Zoning - Schedule A - Located south of Chandler Street, east of Archibald Avenue, north and west of Grapewin - REQUEST: GPA652, proposes to change the site's land use to Category 2B Residential / CZ6756, proposes to change the zoning from A-2-10 and A-D to R-1 / TR30735, proposes to subdivide 75.03 Acres into 255 single family residential lots and 2 open space lots / AG00891, proposes cancellation of the associated land conservation contract.

CONTROVERSIAL ISSUES: Adequate domestic water supply, roadway connections and maintenance to private road caused by increased traffic, archaeological/ paleontological resource preservation, and discharge of surface water flows into the Santa Ana River – resolved through conditions of approval.

RECOMMENDED MOTION:

The Planning Department recommended Approval; and,
THE PLANNING COMMISSION BY A VOTE OF 5-0 RECOMMENDS:

ADOPTION of a Mitigated Negative Declaration for Environmental Assessment No. 38919, based upon the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment; and,


Robert C. Johnson, Planning Director

RCJ: AR

(Continued On Attached Pages)

REVIEWED BY EXECUTIVE OFFICE

DATE: 10/29/03
Henry J. Hubert

Policy
 Policy

Consent
 Consent

Department Recommendation:
Per Executive Office:

Prev. Agn. Ref.

Dist. Second

AGENDA NO.

16.3

The Honorable Board of Supervisors

RE: GENERAL PLAN AMENDMENT NO. 652 / CHANGE OF ZONE NO. 6756 /
TENTATIVE TRACT MAP NO. 30735 - AGRICULTURAL PRESERVE NO. 891 -
9/24/03

Page 2 of 5

TENTATIVE APPROVAL of General Plan Amendment No. 652, based on the findings and conclusions incorporated in the staff report; and,

ADOPTION of the RESOLUTION RECOMMENDING ADOPTION of GENERAL PLAN AMENDMENT NO. 652 to the Board of Supervisors; and,

TENTATIVE APPROVAL of Change of Zone No. 6756, based on the findings and conclusions incorporated in the staff report; and,

APPROVAL of Tentative Tract Map No. 30735, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

APPROVAL of AGRICULTURAL PRESERVE CASE NO. 891, to diminish Mira Loma Agricultural Preserve No. 6, as amended, and cancel the associated land conservation contract in accordance with Agricultural Preserve Map No. 891.

BACKGROUND:

Related to General Plan Amendment No. 652, Change of Zone No. 6756 and Tentative Tract No. 30735 is an application to disestablish an agricultural preserve and to cancel the associated land conservation contract. The Comprehensive Agricultural Preserve Technical Advisory Committee considered this application on June 19, 2003.

Agricultural Preserve Case No. 891

Agricultural Preserve Case No. 891 is the concurrent request by Gladys M. Gonzalez, Teresa E. Gonzalez and Ellen M. Gonzalez Simmons to disestablish Mira Loma Agricultural Preserve No. 6, Map No. 50 and cancel the land conservation contract as it applies to the 10-acre parcel (Assessor's Parcel No. (APN)130-060-016); a request by Standard Pacific Corporation to disestablish Mira Loma Agricultural Preserve No. 6, Map No. 50 and cancel the land conservation contract as it applies to the 55.37-acre parcels (Assessor's Parcel Numbers 130-060-001 and 130-060-015); and, a request by Frederick W. Koning, Victor A. Koning, Adriana D. Koning, Betty L. Zwart and Koning-Meines Dairy, L.P. to remove the 10.94-acre parcel (APN 130-060-017) from the boundaries of Mira Loma Agricultural Preserve No. 6, Map No. 50, thereby disestablishing the affected agricultural preserve.

General Plan Amendment No. 652, Change of Zone No. 6756 and Tentative Tract No. 30735 are the applicant's proposed alternative land use of the site upon cancellation of the current land conservation contract.

The Honorable Board of Supervisors

RE: GENERAL PLAN AMENDMENT NO. 652 / CHANGE OF ZONE NO. 6756 /

TENTATIVE TRACT MAP NO. 30735 - AGRICULTURAL PRESERVE NO. 891 -

9/24/03

Page 3 of 5

The Comprehensive Agricultural Preserve Technical Advisory Committee (CAPTAC) met on June 19, 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 \$621,000.00 shall be paid; and
2. All conditions necessary for the County to issue grading permits for Tract Map No. 30735 (Assessor's Parcel Numbers 130-060-001-6, 130-060-015-0, 130-060-016-1 and 130-060-017-2) 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 76.31-acre site proposed for deletion from Mira Loma Agricultural Preserve No. 6 is located northerly of Prado Basin Park Road, south of and adjacent to Chandler Street, east of and adjacent to Archibald Avenue and west of and adjacent to Grapewin.
2. The site currently is fallow and no dairy cows are located on the property.
3. The soils on the site are sixty percent Class I and Class II, and forty 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 recorded on February 26, 1971 as Instrument No. 19418 in the Office of the County Recorder of Riverside, California.
5. The subject parcels are all included under this single contract.
6. Title for each individual parcel is currently held under various ownerships.

The Honorable Board of Supervisors

RE: GENERAL PLAN AMENDMENT NO. 652 / CHANGE OF ZONE NO. 6756 /

TENTATIVE TRACT MAP NO. 30735 - AGRICULTURAL PRESERVE NO. 891 -

9/24/03

Page 4 of 5

7. A notice of non-renewal was filed with the Planning Department on September 18, 1990, and was recorded by the Riverside County Clerk and Recorder on October 18, 1990, as Instrument No. 382738. Pursuant to the notice of non-renewal, the land conservation contract expired on APN 130-060-017 on January 1, 2001.
8. The second, third and fourth notices of non-renewal were filed with the Planning Department on February 20, 2003, which were recorded by the Riverside County Clerk and Recorder on August 8, 2003 as Instrument Numbers 2003-604287, 2003-604288 and 2003-604289. Pursuant to these notices of non-renewal, the land conservation contract on APN 130-060-016 will expire on January 1, 2013.
9. The final notice of non-renewal was filed with the Planning Department on February 20, 2003, and was recorded by the Riverside County Clerk and Recorder on August 20, 2003 as Instrument No. 2003-637994. Pursuant to the notice of non-renewal, the land conservation contract on APN 130-060-001 and 130-060-015 will expire on January 1, 2013.
10. The landowner has applied for Tentative Tract Map No. 30735 in conjunction with General Plan Amendment No. 652 and Change of Zone No. 6756 as the alternative use of the site, as required by the cancellation procedures for a land conservation contract. The tract map proposes to subdivide the affected parcels into 255 single-family residential lots and 2 open space lots.
11. Upon approval of General Plan Amendment No. 652 and Change of Zone No. 6756, the proposed alternative use will be consistent with the existing Riverside County Comprehensive General Plan and the proposed zoning.
12. The site is contiguous to residential development on the north and there are existing entitlements for urban development to the east and west. The Santa Ana River and the city limits of the City of Norco are located immediately south of the site.
13. Development of the contracted land will result in a more contiguous pattern of urban development than the non-contracted lands in the vicinity.
14. The cancellation fee was determined by the Riverside County Assessor's Office to be \$621,000.00.

CONCLUSIONS:

1. The cancellation is for land on which a notice of non-renewal has been served.

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RE: GENERAL PLAN AMENDMENT NO. 652 / CHANGE OF ZONE NO. 6756 /

TENTATIVE TRACT MAP NO. 30735 - AGRICULTURAL PRESERVE NO. 891 -

9/24/03

Page 5 of 5

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 than development of proximate non-contracted land.