

The Honorable Board of Supervisors

RE: ENVIRONMENTAL IMPACT REPORT NO. 437/RESOLUTION NO. 2004-023/
CHANGE OF ZONE NO. 6549 / PARCEL MAP NO. 29913 / PLOT PLAN NO.
16686 / AGRICULTURAL PRESERVE NO. 845

March 30, 2004

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CERTIFICATION of ENVIRONMENTAL IMPACT REPORT NO. 437 (SCH #2000121081), based on the conclusions that the environmental impact report is an accurate, objective and complete document which complies with the California Environmental Quality Act (CEQA) and the Riverside County Rules to Implement CEQA;

ADOPTION of RESOLUTION NO. 2004-023, making findings of Over-Riding Considerations and Certifying Environmental Impact Report No. 437;

TENTATIVE APPROVAL of CHANGE OF ZONE NO. 6549, from A-2-20 to M-SC in accordance with Exhibit No. 2 pending final adoption of the final zoning ordinance by the Board of Supervisors;

APPROVAL of PARCEL MAP NO. 29913, subject to the attached conditions of approval, based on the findings and conclusions incorporated in the staff report;

APPROVAL of PLOT PLAN NO. 16686, subject to the attached conditions of approval, based on the findings and conclusions incorporated in the staff report; and

TENTATIVE APPROVAL of AGRICULTURAL PRESERVE CASE NO. 845, to disestablish Mira Loma Agricultural Preserve No. 17, as amended, and cancel the associated land conservation contract in accordance with Agricultural Preserve Map No. 845.

BACKGROUND:

Related to Change of Zone No. 6549, Parcel Map No. 29913 and Plot Plan No. 16686 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 January 30, 2001.

Agricultural Preserve Case No. 845

Agricultural Preserve Case No. 845 is a request by Jake Slegers and Dorothy Slegers to disestablish Mira Loma Agricultural Preserve No. 17, Map No. 279 and cancel the land conservation contract as it applies to the 76.52-acre site. Plot Plan No. 16686 along with Parcel Map No. 29913 and Change of Zone No. 6549 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 January 30, 2001 and recommended approval of the proposed cancellation

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based on the findings contained in the attached CAPTAC report. However, the State Department of Conservation concluded that the petition for cancellation lacked substantial supporting evidence to permit the Board to reasonably find that it can cancel the contract based upon the required findings. The Planning Department does not concur with that recommendation, and is recommending approval of the disestablishment of Mira Loma Agricultural Preserve No. 17, Map No. 279, as depicted on Map No. 845, based on the findings and conclusions incorporated in the staff 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 \$1,118,875.00 shall be paid; and
2. All conditions necessary for the County to issue grading permits for Plot Plan No. 16686 (Assessor's Parcel No. 156-340-024-1 and 156-340-025-2) 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 76.52-acre site proposed for deletion from Mira Loma Agricultural Preserve No. 17 is located north of and adjacent to Cantu Galleano Ranch Road (Gallena Street); south of and adjacent to Harrel Street; easterly of Wineville Avenue; and, west of and adjacent to Day Creek Channel in the Prado-Mira Loma area of Riverside County.
2. The site currently sustains an operating dairy with approximately 830 milking cows and 215 heifers.
3. The soils on the site are one hundred percent Class III, Class IV and Class VI.
4. Jake Slegers and Dorothy Slegers entered into a land conservation contract with the County of Riverside for land within Mira Loma Agricultural Preserve No. 17. The contract is dated January 1, 1974 and was recorded on January 29, 1974 as Instrument No. 11371 in the Office of the County Recorder of Riverside, California.

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5. A notice of non-renewal was filed with the Planning Department on November 11, 2000, and was recorded by the Riverside County Clerk and Recorder on February 28, 2001, as Instrument No. 2001-079730. Pursuant to the notice of non-renewal the land conservation contract will expire January 1, 2011.
6. The landowner has applied for Plot Plan No. 16686 in conjunction with Change of Zone No. 6549 and Tentative Parcel Map No. 29913 as the alternative use of the site, as required by the cancellation procedures for a land conservation contract. The parcel map proposes to divide the affected parcels into 3 parcels and construct 3 industrial warehouse buildings and associated office space for a total of 1,676,676 square feet of industrial warehouse area; 37,900 square feet of office space; 350,178 square feet of landscaping; and, 900 parking stalls and 22 accessible parking stalls.
7. The proposed alternative use is consistent with the existing Riverside County General Plan and, upon approval of Change of Zone No. 6549 the proposed alternative use will be consistent with the proposed zoning.
8. The site is contiguous to Industrial warehouse type development on the north, west and east and single-family residential development on the south, or to entitlements for urban development.
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 \$1,118,875.00.

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. No parcels subject to a Williamson Act Contract in Riverside County are located within a two-mile radius of the site. All but one parcel, which is owned by the school district, located in proximity of the site and zoned for agricultural use are currently in the process of rezoning.
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.

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5. Development of the contracted land would provide more contiguous patterns of urban development than development of proximate noncontracted land.