

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

211B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
October 18, 2005

SUBJECT: AGRICULTURAL PRESERVE NO. 911 – Applicant: Riverside County Economic Development Agency – Fourth Supervisorial District – Mecca Zoning District – Eastern Coachella Valley Area Plan – Location: South of and adjacent to 66th Avenue, easterly of State Highway 111 and westerly of Johnson Street – 30 Acres (Net) – Zoning: Light Agricultural - 10 Acre Minimum (A-2-10) – REQUEST: To cancel the associated Land Conservation Contract on approximately 30 acres and diminish said 30 acres from the affected agricultural preserve for the purpose of developing a public health and social service center.

RECOMMENDED MOTION:

THE COMPREHENSIVE AGRICULTURAL PRESERVE TECHNICAL ADVISORY COMMITTEE, BY A MAJORITY VOTE, RECOMMENDS TO THE BOARD OF SUPERVISORS:

APPROVAL of AGRICULTURAL PRESERVE CASE NO. 911, to diminish Coachella Valley Agricultural Preserve No. 52, as amended, and cancel the associated land conservation contract in accordance with Agricultural Preserve Map No. 911.

BACKGROUND:

In compliance with the California Environmental Quality Act (CEQA), Riverside County Economic Development Agency (EDA) (Indio) prepared Initial Study CEQA-2003-01, which evaluated potential adverse effects resulting from the acquisition and development of the Mecca Public Health and Social Service Center. The Board of

Robert C. Johnson
Robert C. Johnson
Planning Director

RCJ:kb

REVIEWED BY EXECUTIVE OFFICE

Ann J. Taylor
DATE 10/19/05

Departmental Concurrence

Policy

Policy

Consent

Consent

Dep't Recomm.:

Per Exec. Ofc.:

Prev. Agn. Ref.

District: Fourth

Agenda Number:

16.1

Supervisor's adopted a De Minimus Finding and Negative Declaration for Initial Study CEQA-2003-01 on September 23, 2003.

Agricultural Preserve Case No. 911

Agricultural Preserve Case No. 911 is a request by EDA to diminish Coachella Valley Agricultural Preserve No. 52, Map No. 243 and cancel the land conservation contract as it applies to an approximately 30-acre portion of old Assessor's Parcel No. (APN) 727-272-002 and 727-272-003 (new APN 727-272-015-8 and 727-272-018-0). The applicant's proposed alternative land use of the 30 acres upon cancellation of the current land conservation contract is the development of the Mecca Public Health and Social Service Center, which will provide services and facilities such as health care, dental care, counseling, job assistance, housing assistance, WIC Nutritional assistance, a public library and public park to Mecca residents.

CAPTAC met on February 26, 2004 and recommended approval of the proposed cancellation based on the findings contained in the attached CAPTAC report. Pursuant to Government Code Section 51284.1, a copy of the complete application for tentative cancellation was submitted to the State Department of Conservation for a mandatory 30-day review and comments. In their letter dated August 9, 2005, the State 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.

However, CAPTAC and the Planning Department do not concur with the State's recommendation, and are recommending APPROVAL of the diminishment of Coachella Valley Agricultural Preserve No. 52, Map No. 243, as depicted on Map No. 911, and cancellation of the associated land conservation contract, based upon the hereinafter listed findings and conclusions.

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

1. The cancellation fee of \$35,625.00 shall be paid; and
2. Obtain all permits necessary to complete the project (Assessor's Parcel No. 727-272-015-8 and 727-272-018-0).

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 30 acres of contracted land is located northerly of 68th Avenue, south of and adjacent to 66th Avenue, easterly of and adjacent to Hammond Road and westerly of Johnson Street in the lower Eastern Coachella Valley and is comprised of portions of old APN 727-272-002-5 and 727-272-003-6.
2. The subject land is part of a larger parcel which supports crops such as vegetables, citrus and grapes.
3. The soils on the site are one hundred (100) percent Class I and Class II.
4. The Estate of Edwin Silverman, et al, entered into a land conservation contract with the County of Riverside for land within Coachella Valley Agricultural Preserve No. 52 (APN 727-272-002-5 and 727-272-003-6). The contract for these parcels is dated January 1, 1974 and was recorded on February 20, 1974 as Instrument No. 20144 in the Office of the County Recorder of Riverside, California.
5. A notice of non-renewal for the 30-acre portion of said parcels was filed with the Planning Department on November 3, 2003 and was recorded by the Riverside County Clerk and Recorder on January 7, 2004, as Instrument No. 2004-0010707. Pursuant to the notice of non-renewal, the land conservation contract will expire on January 1, 2014.
6. The Riverside County EDA's proposed alternative land use of the 30 acres upon cancellation of the current land conservation contract is the development of the Mecca Public Health and Social Service Center. The center will provide severely needed services and facilities such as health care, dental care, counseling, job assistance, housing assistance, WIC Nutritional assistance, a public library and public park to Mecca residents.
7. The proposed alternative use is consistent with the Riverside County General Plan designation of Agriculture with a Community Development Overlay and is exempt from County Zoning Ordinance No. 348.
8. The subject land is surrounded by agricultural uses except for limited areas to the immediate north, northwest and northeast. These areas encompass the bulk of the Mecca community and support local residential, commercial and public uses. The primary consideration when selecting the subject land was its central location to residents living in the community and to public transit stops and not on a consideration of the lower costs of acquiring land in the agricultural preserve.

Six other locations that could be potentially suitable were considered; however, the owners of said properties declined offers from the Riverside County Redevelopment Agency to purchase their land.

9. Development of the contracted land will result in a more contiguous pattern of urban development than the non-contracted lands in the vicinity. The subject land is located within a portion of Mecca which is centrally located and designated with a community development overlay specifically to provide the County the ability to immediately address a number of economic and social needs of the community.
10. The cancellation fee was determined by the Riverside County Assessor's Office to be \$35,625.00.

CONCLUSIONS:

1. The cancellation is for land on which a notice of non-renewal has been served.
2. Except for limited areas to the immediate north, northwest and northeast, which encompass the bulk of the Mecca community, large parcels of land surrounding the subject land are located within the boundaries of one of Coachella Valley's many agricultural preserves. As stated above, the primary consideration when selecting the subject land was its central location to residents living in the community and to public transit stops and not on consideration of the lower cost of acquiring land in the agricultural preserve. This cancellation and removal of the subject land from the agricultural preserve boundaries is necessitated in the interests of public health, safety and welfare of the community. The cancellation in and of itself 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. The General Plan Land Use designation for the subject land is Agriculture with a Community Development Overlay and the alternative use is exempt from the zoning provisions of Ordinance No. 348.
4. The primary consideration when selecting the subject land was its central location to residents living in the community and to public transit stops. Therefore, 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. Six other locations that could be potentially suitable were considered; however, the owners of said properties declined offers from the Riverside County Redevelopment Agency to purchase their land.