

1 RESOLUTION NO.

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
3 RIVERSIDE, CALIFORNIA, APPROVING THE CANCELLATION OF A  
4 WILLIAMSON ACT LAND CONSERVATION CONTRACT TO  
5 FACILITATE THE FUTURE CONSTRUCTION OF A SINGLE-FAMILY  
6 RESIDENCE LOCATED AT THE NORTHEAST CORNER OF LURIN  
7 AVENUE AND OBSIDIAN DRIVE, RIVERSIDE, CALIFORNIA,

8 WHEREAS, the City of Riverside received an application from Huy Pham (“Applicant”) for  
9 the Nonrenewal/Cancellation of a Williamson Act Land Conversation contract on an approximately  
10 0.91-acre parcel of property, bounded by Lurin Avenue on the south and Woodcrest Lane on the  
11 north and is generally situated on the northeast corner of the intersection of Lurin Avenue and  
12 Obsidian Drive, Riverside, California, identified as Assessor’s Parcel Number 266-090-021  
13 (“Property”) as more particularly described and depicted in Exhibit “A” attached hereto and  
14 incorporated herein by reference; and

15 WHEREAS, the Property lies within the Woodcrest Agricultural Preserve No. 3  
16 (“Preserve”); and

17 WHEREAS, the Property is subject to a Land Conservation Contract recorded on February  
18 27, 1970, as instrument number 19065 (“Contract”); and

19 WHEREAS, the Applicant became the owner of the Property recorded on September 28,  
20 2021, as instruction number 2021-0576942; and

21 WHEREAS, the Orangecrest Specific Plan provides that once there are cancellations of  
22 Williamson Act contracts and the Preserve is diminished, the Preserve can be terminated; and

23 WHEREAS, the City of Riverside also received an application from the Applicant for an  
24 alternative land use on the Property to facilitative the future construction of a single-family residence  
25 and an Accessory Dwelling Unit (“Project”); and

26 WHEREAS, the Property is currently Zoned as RA-SP Residential Agricultural and Specific  
27 Plan (Orangecrest) Overlay Zones and has a General Plan Land Use Designation as LDR-Low  
28 Density Residential; and

WHEREAS, upon the cancellation of the Contract the Property will revert to the R-1-13000  
zone; and

1           WHEREAS, a Notice of Nonrenewal of the Contract was served on the City in accordance  
2 with Government Code Section 51245 and was recorded on March 1, 2024, as instrument number  
3 2024-0057611; and

4           WHEREAS, Government Code Section 51282 permits a landowner to petition the City  
5 Council to cancel a land conservation contract; and

6           WHEREAS, pursuant to Government Code Section 51282, the City Council can grant  
7 tentative approval for the cancellation of a land conservation contract if the City Council is able to  
8 make specific findings; and

9           WHEREAS, the following facts warrant findings justifying the cancellation of the Contract:

10          Finding 1: A Notice of Nonrenewal of the Contract was served on the City and was recorded  
11 on March 1, 2024, as instrument number 2024-00557611 for the cancellation.

12          Finding 2: The cancellation will not result in the removal of adjacent lands from agricultural  
13 use as the subject site is surrounded by single-family residences to the north, east, and west and  
14 single-family residences and city owned property (Parks and Recreation) to the south.

15          Finding 3: The cancellation will facilitate an alternate use of single-family residential which  
16 is consistent with the provisions of the Low Density Residential General Plan Land Use designation.

17          Finding 4: The cancellation will not result in discontinuation patterns of urban development  
18 as it is surrounded by single-family residences.

19          Finding 5: There is no proximate noncontracted land which is both available and suitable for  
20 use to which it is proposed the contracted land be put, or, that development of the contracted land  
21 would provide more contiguous patterns of urban development than development of proximate  
22 noncontracted land. The subject site is the last parcel of the last of the original 10-acre Williamson  
23 Act Contract. It is surrounded by residential development and cancellation of the contract would  
24 facilitate the development of a single-family residence which provides for a more compatible land  
25 use pattern.

26           WHEREAS, the City believes that the statutory obligations for the cancellation of the  
27 Contract is consistent with the purposes of the Williamson Act; and

28           WHEREAS, the County of Riverside Office of the Assessor has determined that the

1 cancellation value of the Property is Two Hundred Seventy-Five Thousand Dollars (\$275,000) and  
2 pursuant to Government Code Section 51283, the fee for cancellation shall be 12 ½ percent of the  
3 cancellation value; and

4 WHEREAS, the 12 ½ percent fee is Thirty-Four Thousand Three Hundred Seventy-Five  
5 Dollars (\$34,375); and

6 WHEREAS, on September 9, 2024, the Land Use Committee unanimously approved the  
7 Community & Economic Development Department's recommendation that the City Council adopt a  
8 resolution to cancel a Williamson Act Land Conservation Contract; and.

9 WHEREAS, a duly notice public hearing was held on October 22, 2024, concerning the  
10 application for tentative cancellation of the Contract and the Preserve regarding the Property, at  
11 which time all interested persons were given full opportunity to be heard and to present evidence.

12 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Riverside,  
13 California, as follows:

14 Section 1: The above recitals are incorporated herein as if set forth in full.

15 Section 2: The Project and the cancellation of the Contract and the Preserve are hereby  
16 adopted.

17 Section 3: The City Council finds and determines that the cancellation of the Contract in  
18 regard to the Property is consistent with the Purposes of the Williamson Act and is in the public  
19 interest. The City Council makes the following findings in support of the cancellation:

20 Finding 1: A Notice of Nonrenewal was served on the City and was recorded on March 1,  
21 2024, as instrument number 2024-00557611 for the cancellation.

22 Finding 2: The cancellation will not result in the removal of adjacent lands from agricultural  
23 use as the subject site is surrounded by single-family residences to the north, east, and west and  
24 single-family residences and city owned property (Parks and Recreation) to the south.

25 Finding 3: The cancellation will facilitate an alternate use of single-family residential which  
26 is consistent with the provisions of the Low Density Residential General Plan Land Use designation.

27 Finding 4: The cancellation will not result in discontinuation patterns of urban  
28 development as it is surrounded by single-family residences.

1 Finding 5: There is no proximate noncontracted land which is both available and suitable  
2 for use to which it is proposed the contracted land be put, or, that development of the contracted land  
3 would provide more contiguous patterns of urban development than development of proximate  
4 noncontracted land. The subject site is the last parcel of the last of the original 10-acre Williamson  
5 Act Contract. It is surrounded by residential development and cancellation of the contract would  
6 facilitate the development of a single-family residence which provides for a more compatible land  
7 use pattern.

8 Section 4: The City Council hereby determines and certifies the amount of the  
9 cancellation fee the Applicant shall pay the Riverside County Treasurer is Thirty-Four Thousand  
10 Three Hundred Seventy-Five Dollars (\$34,375), which is 12 ½ percent of the total cancellation value  
11 as determined by the County of Riverside Office of the Assessor.

12 Section 5: The City Council hereby tentatively approves the cancellation of the Contract.  
13 The cancellation of the Contract shall be contingent upon the following conditions being satisfied:

14 1. The cancellation fee of Thirty-Four Thousand Three Hundred Seventy-Five  
15 Dollars (\$34,375), as herein certified by the City, shall be paid in full prior to the issuance of  
16 building permits. If the fee is not paid within one year from the date of the recording of the  
17 certificate of tentative cancellation, such fee shall be recomputed pursuant to Government Code  
18 Section 51283.4.

19 2. The Applicant shall obtain final approval of the Project.

20 Section 6: The City Clerk shall certify and transmit to the County Recorder a certificate  
21 of tentative cancellation.

22 Section 7: Within 30 days of this determination, the City Clerk shall publish a copy of  
23 this Resolution in the Press Enterprise as a display advertisement of at least one-eighth page. A copy  
24 of the published notice shall be delivered to the Director of Conservation by Community &  
25 Economic Development Department staff.

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1 ADOPTED by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2024.

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\_\_\_\_\_  
PATRICIA LOCK DAWSON  
Mayor of the City of Riverside

Attest:

\_\_\_\_\_  
DONESIA GAUSE  
City Clerk of the City of Riverside

I, Donesia Gause, City Clerk of the City of Riverside, California, hereby certify that the foregoing resolution was duly and regularly adopted at a meeting of the City Council of the City of Riverside, at its meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2024, by the following vote, to wit:

- Ayes:
- Noes:
- Absent:
- Abstain:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
DONESIA GAUSE  
City Clerk of the City of Riverside

CA 24-1299 09/13/24

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

Project: Ag Preserve/Williamson Act Cancellation  
APN: 266-090-021

The land referred to herein is situated in the State of CALIFORNIA, County of RIVERSIDE, and described as follows:

THE WEST 100 FEET OF THE SOUTH 396 FEET OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN AS SHOWN BY UNITED STATES GOVERNMENT SURVEY,

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER;

THENCE SOUTH 0°21' EAST, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, A DISTANCE OF 660.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 89°26'45" WEST, AND PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER A DISTANCE OF 1323.01 FEET TO A POINT ON THE WEST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER,

DISTANT THEREON SOUTH 0°18'53" EAST, 650.00 FEET FROM THE NORTHWEST CORNER THEREOF;

THENCE SOUTH 0°18'53" EAST, ALONG SAID WEST LINE, A DISTANCE OF 665.86 FEET TO THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER,

THENCE NORTH 39°24'40" EAST, ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTH EAST QUARTER, A DISTANCE OF 1027.42 FEET TO A POINT,

DISTANT THEREON SOUTH 69°24'40" WEST, 296.00 FEET FROM THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, A DISTANCE OF 396.00 FEET;

THENCE NORTH 89°24'40" EAST, AND PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 296.00 FEET TO A POINT ON SAID EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER;

THENCE NORTH 0°21' WEST, ALONG SAID EAST LINE, A DISTANCE OF 269.05 FEET TO THE TRUE POINT OF BEGINNING.

SAID LAND IS ALSO SITUATED IN THE UNINCORPORATED AREA OF RIVERSIDE COUNTY.

This description was prepared by me or under my direction in conformance with the requirements of the Land Surveyors Act.

DBW 7/16/24 Prep. kj  
Douglas B. Webber, L.S. 9477 Date





P.O.C.  
N.E.1/4.  
N.E.1/4,  
S.E.1.4

S00°21'00"E 660.00'

E. LINE N.E. 1/4, S.E. 1/4

S89°26'45"W 1323.01'

N89°24'40"E 296.00'

269.05'  
N0°21'00"W

WOODCREST LN

S00°18'53"E 650.00'

100'

396'

N00°21'00"W 396.00'

N.E.1/4 , S.E. 1/4,  
SEC. 30, T.3S.,  
R.4.W. S.B.M.

CL WOOD ROAD

296.00'  
S69°24'40"W

S0°18'53"E 665.86'

30'

N39°24'40"E 1027.42'

CL LURIN AVENUE

Describes the  
Ag Preserve  
Williamson Act  
Cancellation

• CITY OF RIVERSIDE, CALIFORNIA •

THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE  
ATTACHED DOCUMENT. IT IS NOT A PART OF THE WRITTEN DESCRIPTION THEREIN.

SHEET 1 OF 1

SCALE: 1' = 200'

DRAWN BY: kj

DATE: 7/11/24

SUBJECT: Ag Preserve Williamson Act Cancellation