



Land Use, Sustainability, and Resilience Committee

City of Arts & Innovation

TO: LAND USE, SUSTAINABILITY, AND RESILIENCE COMMITTEE MEMBERS DATE: APRIL 10, 2023

FROM: COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT WARD: 4

SUBJECT: REVIEW THE DIMINISHMENT OF AGRICULTURAL PRESERVE NO. 7 TO FACILITATE THE CONSTRUCTION OF A 96-UNIT PLANNED RESIDENTIAL DEVELOPMENT ON AN APPROXIMATELY 18.92-ACRE PROJECT SITE LOCATED AT THE NORTHEAST CORNER OF LURIN AVENUE AND WOOD ROAD

ISSUE:

Review the diminishment of Agricultural Preserve No. 7 (Assessor Parcel Number 266-130-023 and 266-130-024), to facilitate the construction of a 96-unit Planned Residential Development on an 18.9-acre project site located at the northeast corner of Lurin Avenue and Wood Road.

RECOMMENDATIONS:

That the Land Use, Sustainability, and Resilience Committee:

1. Review and direct staff to prepare a report regarding the Agricultural Preserve Diminishment for City Council's determination; and
2. Recommend that the City Council approve a resolution to diminish Agriculture Preserve No. 7.

BACKGROUND:

Legislative History

The California Land Conservation Act of 1965, commonly referred to as the Williamson Act, enables local governments to administer contracts with private landowners for the purpose of restricting specific parcels of land to agricultural uses. In return, landowners receive property tax assessments which are typically lower because the tax assessments are based upon agricultural uses as opposed to full potential market value.

An agricultural preserve is a defined area within which a city or county enters into contracts with landowners. Only land located within an agricultural preserve is eligible for a Williamson Act contract. Preserves are regulated by rules and restrictions in an adopted resolution by the jurisdiction to ensure that the land is maintained for agricultural or open space use.

Local History

In 1983, the City Council adopted Resolution No. 14923 creating procedures for the establishment and administration of Agricultural Preserves pursuant to the Conservation Act of 1965. On August 8, 2000, the City Council approved Resolution No. 19740 (Attachment 1) revising the procedures and establishing an Agricultural Preserve Technical Advisory Committee (APTAC). The APTAC is comprised of the Land Use Committee (now the Land Use, Sustainability and Resiliency Committee) and the Planning Director (Community & Economic Development Director). The APTAC's function is to review each agricultural preserve application and/or diminishment and prepare a report regarding the application for the City Council.

Site Background and Project Description

The 18.92-acre project site is comprised of three contiguous parcels (APN Nos. 266-130-016, 266-130-024, and 266-130-023) located at the northeast corner of Wood Road and Lurin Avenue (Attachment 2).

On May 6, 2008, the property was annexed into the City as part of Annexation 107. The property was incorporated into the Orangecrest Specific Plan and the project site was located in Planning Area 107-B and 107-C, which assigned base zoning classifications of R-1-8500 and R-1-13000 Single Family Residential Zones to the properties (Attachment 3). The Orangecrest Specific Plan indicated parcels identified as APN 266-130-024, and 266-130-023 would be restricted to agricultural uses until such time the Woodcrest Agricultural Preserve No. 7 is diminished, allowing the project site to be developed consistent with the parcels zoning designations (Attachment 4).

The project proposes to diminish the Agricultural Preserve No. 7 to facilitate the development of a Planned Residential Development consisting of 96, detached, single-family residential units, a 61,909 square foot common open space area, and a 10-foot-wide multi-purpose recreational trail along Wood Road. (Attachment 5).

As a matter of information, properties identified as APN 266-130-023 and 266-130-024 had a Williamson Act Contract, however, a notice of non-renewal for the Williamson Act Contract was filed in April 1982 (Instrument No. 7647) and through the non-renewal process the Williamson Act contract was removed from the properties nine-years later. The Property has been fallow since approximately 1993.

Benefit to the Community

Diminishment of Agricultural Preserve No. 7 will facilitate the development of housing on the site. As expressed by the Governor of California and the State Legislature, California is facing a housing crisis with production being a priority. Available housing is of vital statewide and City importance. The Property is not classified as Important Farmland, is not devoted to agricultural uses, does not have an active land contract, and has been fallow since approximately 1993. The Property is, therefore, not fulfilling the objectives of the Land Conservation Act of 1965.

DISCUSSION:

A 12.8-acre portion (APN Nos. 266-130-024, and 266-130-023) of the 18.9-acre subject property is located within the Woodcrest Agricultural Preserve No. 7. The Orangecrest Specific Plan provides that once the Agriculture Preserve is diminished on the properties, the property can be developed consistent with the R-1-13000 and R-1-8500 Single-Family Residential Zone development standards. Development of the proposed 96-unit Planned Residential Development requires the diminishment of Agricultural Preserve No. 7 on 12.8-acres of the project site.

Assessor Parcel Number	Acreage	General Plan Land Use Designation	Zoning	Development Standards Upon diminishment of Agricultural Preserve
266-130-023	11.73	MDR – Medium Density Residential and LDR – Low Density Residential	OSP-RA-SP – Residential Agricultural and Specific Plan (Orangecrest) Overlay Zone	R-1-8500 Single-Family Residential Zone and R-1-13000 Single Family Residential Zone
266-130-024	1.08	MDR – Medium Density Residential	OSP-RA-SP – Residential Agricultural and Specific Plan (Orangecrest) Overlay Zone	R-1-8500 Single-Family Residential Zone

The total acreage of Agricultural Preserve No. 7 has diminished over time to less than 100 acres and the remaining parcels in Agricultural Preserve No. 7 are no longer contiguous as required by the Land Conservation Act of 1965. Diminishment of the project parcels agricultural preserve would not significantly impact the preserve’s viability as a protected area because the subject parcels have not been used for agricultural purposes since 1993. The residential project that is proposed to be developed on this site upon diminishment of the agricultural preserve complies with the Orangecrest Specific Plan and is consistent with the development pattern of the area.

Other Related Entitlements to be Reviewed by the Planning Commission

An environmental impact report (EIR) has been prepared for the proposed Planned Residential Development and will be considered by the Planning Commission on March 30, 2023, with a recommendation to City Council. An update on the March 30, 2023 Planning Commission action will be provided during the April 10, 2023 Committee presentation.

Next Steps

The Land Use, Sustainability and Resilience Committee’s recommendation on the Agricultural Preserve Diminishment and the Planning Commission’s recommendation on the Planned Residential Development/EIR will be presented together at a future City Council meeting.

STRATEGIC PLAN ALIGNMENT:

This item contributes to **Strategic Priority 2 - Community Well Being** and **Goal 2.1 - Facilitate the development of a quality and diverse housing supply that is available and affordable to a wide range of income levels.**

This item aligns with each of the following Cross-Cutting Threads:

1. **Community Trust** — The proposed project aligns with the Community Trust Cross-Cutting Thread as the associated development proposal and Environmental Impact Report (EIR) for a 96-lot Planned Residential Development will be considered at the Planning Commission meeting on March 30, 2023, and future City Council meeting. Notices for

public hearings are sent to property owners within 300 feet of the project site.

2. **Equity** – Transitioning the Property out of its long-time unproductive status into a housing development benefits the community by increasing access to much needed housing units for Riverside residents.
3. **Innovation** –The Agricultural Preserve Diminishment on fallow agriculturally zoned land which has not been productive since 1993 provides for much needed housing units to meet the community’s needs for housing.
4. **Fiscal Responsibility** – All project costs are borne by the property owner, Coastal Commercial Properties. Removal of the property from an Agricultural Preserve enables the City to realize additional revenue from increased property taxes upon completion of the residential development project.
5. **Sustainability & Resiliency** – The proposed project will result in the development of vacant, unproductive land into new residential single-family houses that will meet the most up-to-date building Codes.

FISCAL IMPACT:

There is no fiscal impact related to this action, as all project costs are borne by the property owner, Coastal Commercial Properties. Removal of the property from an Agricultural Preserve enables the City to realize additional revenue from increased property taxes upon completion of the residential development project.

Prepared by: Jennifer Lilley, Community & Economic Development Director
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Approved by: Rafael Guzman, Assistant City Manager
Approved as to form: Phaedra A. Norton, City Attorney

Attachments:

1. Resolution No. 19740 – Agricultural Preserve Procedures
2. Location Map
3. Specific Plan Planning Areas Map
4. Agricultural Preserve Map
5. Site Plan
6. Legal Description
7. Presentation