



City of Arts & Innovation

Land Use, Sustainability, and Resilience Committee

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
Certified as to
availability of funds: Edward Enriquez, Interim Assistant City Manager/Chief Financial Officer/City Treasurer
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

RESOLUTION NO. 19740

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, REPEALING RESOLUTION NO. 14923 AND ALL AMENDMENTS THERETO AND ESTABLISHING A NEW RESOLUTION ADOPTING RULES FOR THE ESTABLISHMENT AND ADMINISTRATION OF AGRICULTURAL PRESERVES PURSUANT TO THE CALIFORNIA LAND CONSERVATION ACT OF 1965 (THE WILLIAMSON ACT)

WHEREAS, the City Council of the City of Riverside, ("City") and its Department of Planning desires to adopt rules for the establishment and administration of agricultural preserves pursuant to the California Land Conservation Act of 1965 (the Williamson Act) and which are implemented by proper utilization of the established Agricultural Preserve Technical Advisory Committee and the Planning Commission; and

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

Section 1 : All agricultural preserves shall be established and administered pursuant to the California Land Conservation Act of 1965 (The Williamson Act), Chapter 7 of Part 1 of Division 1 of Title 5 of the California Government Code commencing with Section 51200, as now enacted or hereafter amended and pursuant to the following rules which shall apply to all agricultural preserves now or hereafter established.

Section 2 : Any land owner, land owner's representative or the City Council may make application to establish, disestablish, enlarge or diminish an agricultural preserve.

Section 3 : Application to establish , disestablish, enlarge or diminish an agricultural preserve shall be made on forms designated for such purpose by the Planning Director and shall be submitted to the Planning Department.

Section 4 : The fee for each agricultural preserve application shall be established by resolution of the City Council.

Section 5 : There shall be an Agricultural Preserve Technical Advisory Committee which shall be comprised of the Planning Director, or his or her designee and those persons appointed by the City Council to serve as members of the City of Riverside's Land Use Committee.

1 The function of the Agricultural Preserve Technical Advisory Committee is to review
2 each agricultural preserve application and to prepare a report regarding the application for the City
3 Council.

4 Section 6 : After submission of a complete agricultural preserve application to the
5 Planning Department, the application shall be referred to the Technical Advisory Committee for
6 review and report followed by a public hearing before the City Council. When an environmental
7 assessment is required by the California Environmental Quality Act, the application shall also be
8 referred to the Planning Commission. Notice of the public hearing shall be provided as required by
9 the California Land Conservation Act of 1965 (the Williamson Act) and the public hearing shall be
10 scheduled within 60 days after submittal of a complete application.

11 Section 7 : The Planning Director shall prepare a report for consideration by the City
12 Council at the public hearing. The report shall include the report of the Agricultural Preserve
13 Technical Advisory Committee and the report of the Planning Commission when required.

14 Section 8 : After the public hearing, the City Council may by resolution establish,
15 disestablish, enlarge or diminish an agricultural preserve.

16 Section 9 : All uses permitted in the Residential Agricultural Zone are hereby determined
17 to be agricultural and/or compatible uses within an agricultural preserve.

18 Section 10 : An agricultural preserve shall consist of no less than 100 acres, provided,
19 however, that the City Council may establish agricultural preserves of less than 100 acres if it finds
20 that smaller preserves are necessary due to the unique characteristics of the agricultural enterprises
21 in the area and that the establishment of preserves of less than 100 acres is consistent with the
22 General Plan.

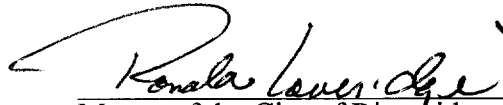
23 Section 11 : Land which located within an agricultural preserve and which meets the
24 requirements of the California Land Conservation Act of 1965 (the Williamson Act) is eligible to be
25 the subject of a Land Conservation Contract between the landowner and the City of Riverside.
26 Application to enter into a contract with the City shall be made on forms designated for such
27 purpose by the Planning Director and shall be submitted to the Planning Department. The fee for a

1 Land Conservation Contract application shall be established by resolution of the City Council.


2 Section 12 : Resolution No. 14923 and all amendments thereto are hereby repealed as of
3 the date of the adoption of this resolution.

4 Section 13 : The provisions of this resolution shall be operative on the date of its
5 adoption.

6 ADOPTED by the City Council and signed by the Mayor and attested by the City Clerk
7 this 8th day of August, 2000.

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Mayor of the City of Riverside

10 Attest:

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12 City Clerk of the City of Riverside
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1 I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the
2 foregoing resolution was duly and regularly introduced and adopted at a meeting of the City Council
3 of said City at its meeting held on the 8th day of August, 2000, by the following
4 vote, to wit:

5 Ayes: Councilmembers Beaty, Moore, Kane, Adkison and Pearson.
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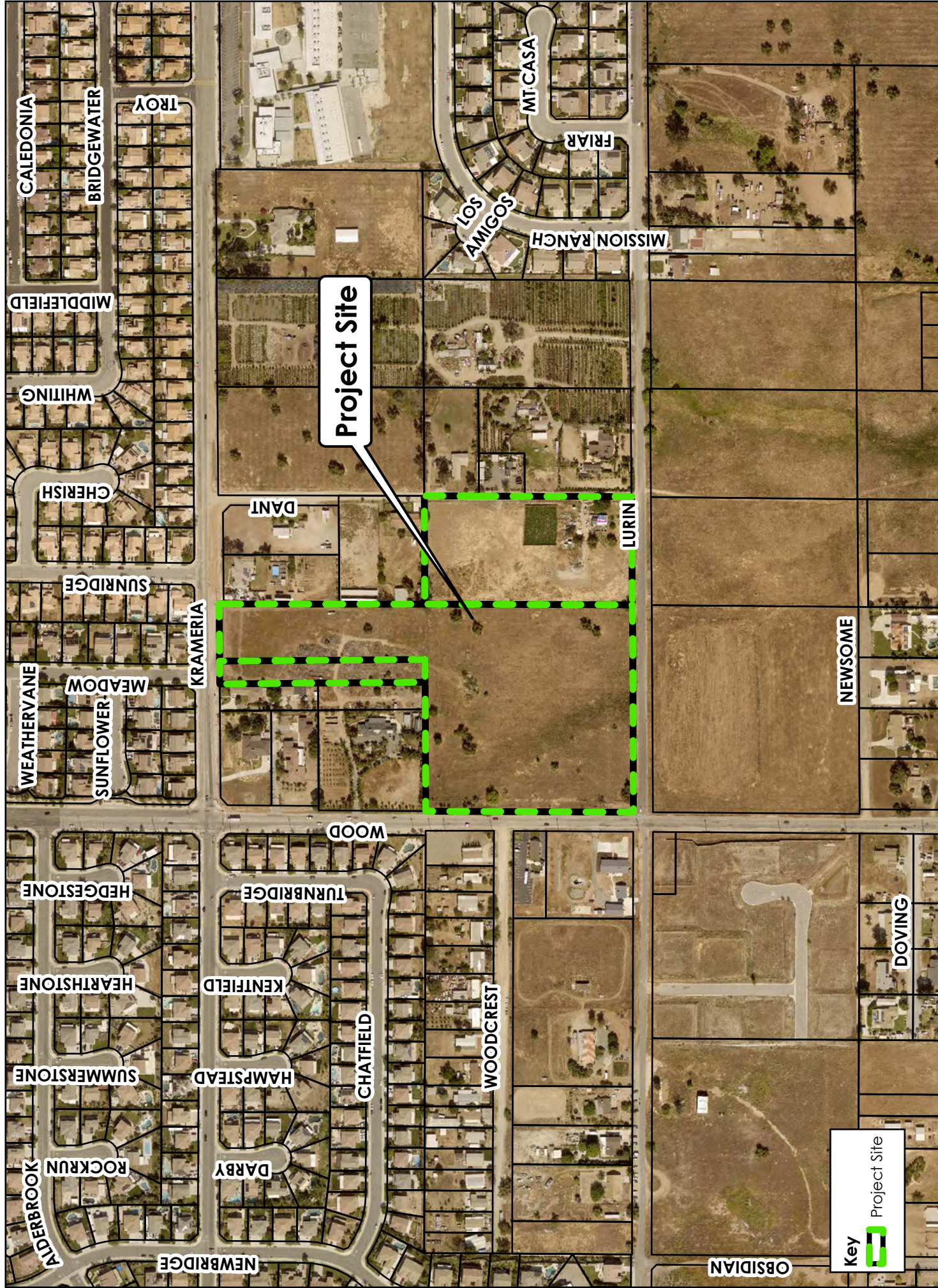
7 Noes: None.

8 Absent: Councilmembers Defenbaugh and Thompson.

9 IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the
10 City of Riverside, California, this 8th day of August, 2000.

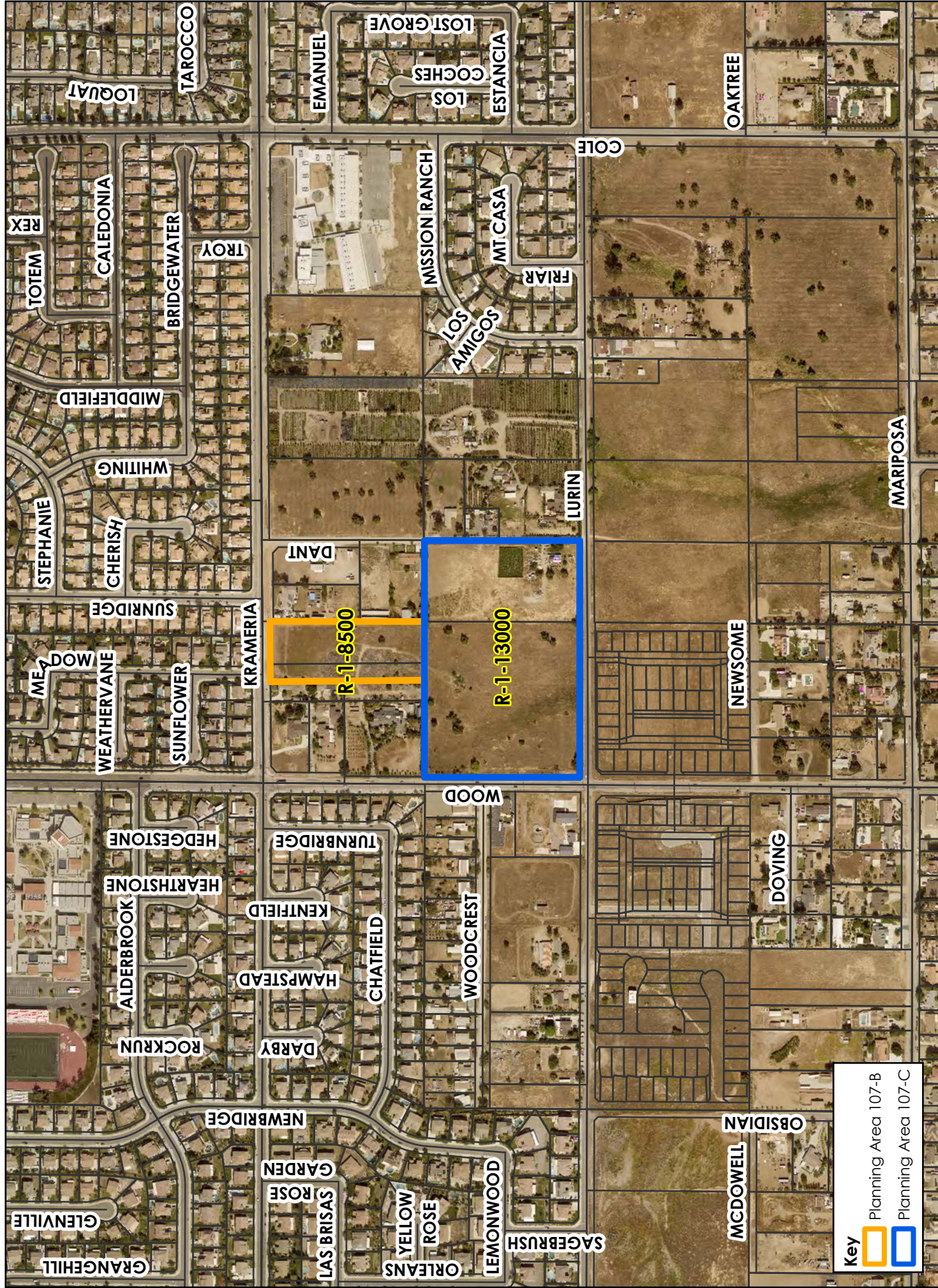
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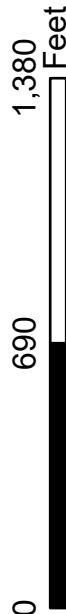


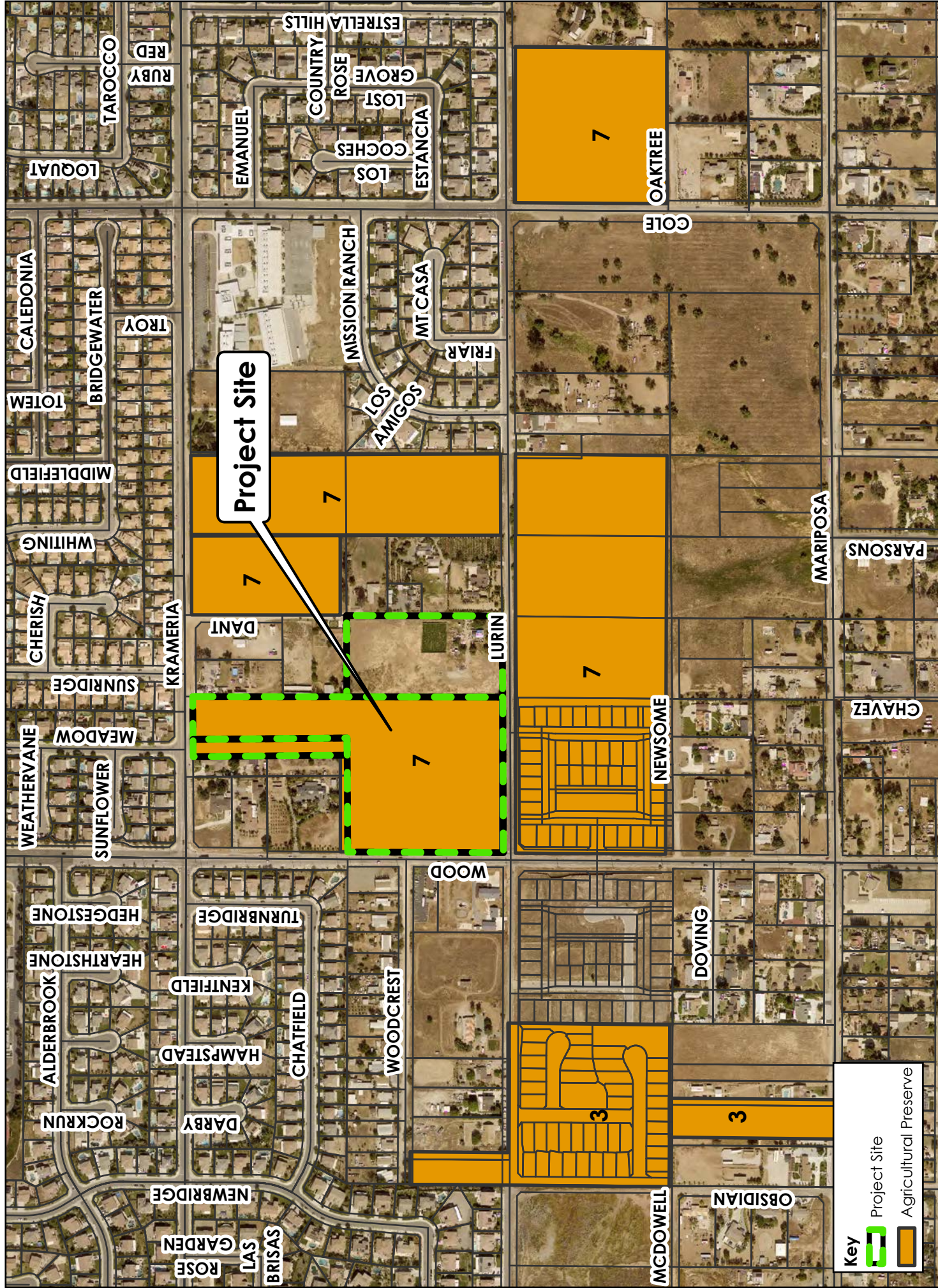
Northeast corner of Lurin Avenue and Wood Road
Location Map





Northeast corner of Lurin Avenue and Wood Road
Specific Plan Planning Areas Map





Northeast corner of Lurin Avenue and Wood Road
Agricultural Preserve Map



KRAMERIA & WOOD - ORANGECREST

RIVERSIDE | CA

COASTAL COMMERCIAL PROPERTIES | 20-128

DATE 03 | 25 | 22



ILLUSTRATIVE SITE PLAN | SP-0



EXHIBIT "B"
LEGAL DESCRIPTION

SHEET 1 OF 2

APN: 266-130-023 & 266-130-024

THOSE CERTAIN PARCELS OF LAND IN THE CITY OF RIVERSIDE, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

THE EAST HALF OF THE EAST HALF OF LOT 8, THE EAST HALF OF THE WEST HALF OF THE EAST HALF OF LOT 8, AND LOT 9 ALL OF WOODCREST ACRES, PER MAP ON FILE IN BOOK 11, PAGE 62 OF MAPS, RECORDS OF SAID COUNTY.

THIS DESCRIPTION AND PLAT WERE CREATED FOR THE PURPOSES OF AN AGRICULTURAL PRESERVE DIMINISHMENT/DISESTABLISHMENT ONLY. THIS DESCRIPTION AND PLAT IS NOT INTENDED TO CREATE A SEPARATE PARCEL OF REAL PROPERTY AND FOR THE PURPOSE OF SALE, LEASE OR FINANCING WOULD BE IN VIOLATION OF THE CALIFORNIA SUBDIVISION MAP ACT AND LOCAL ORDINANCE REGULATING THE DIVISION OF REAL PROPERTY.

PREPARED BY OR UNDER THE DIRECTION OF:

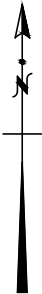
E. L. Reynolds

2/21/23

EDWARD L. REYNOLDS L.S. 7725

DATE



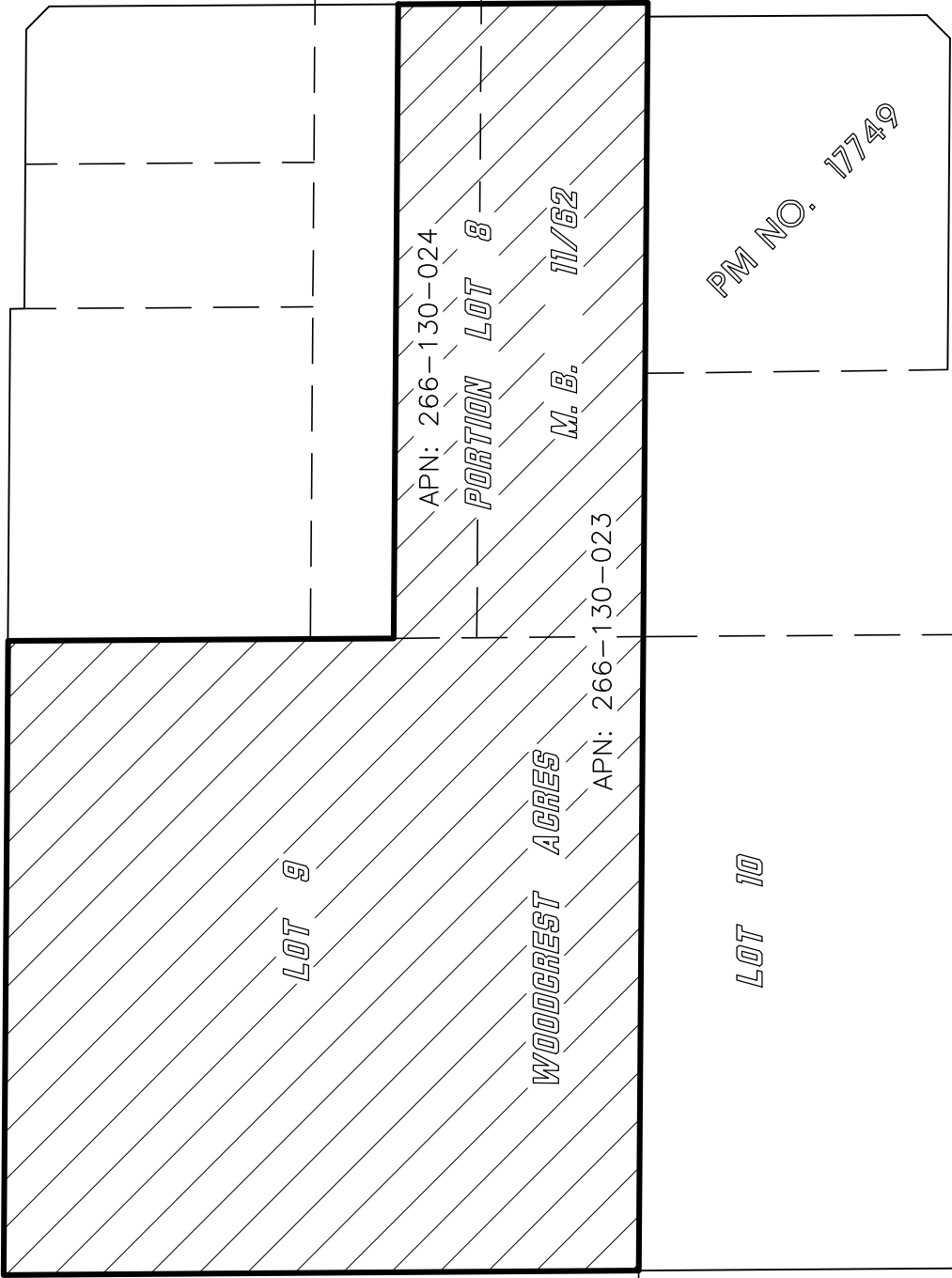


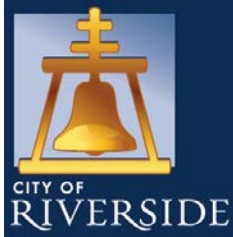
WOOD ROAD

KRAMERIA AVENUE

DANT STREET

LURIN AVENUE





DIMINISHMENT OF AGRICULTURAL PRESERVE NO. 7

Community & Economic Development Department

Land Use, Sustainability and Resilience Committee

April 10, 2023

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BACKGROUND



Legislative History

- The California Land Conservation Act of 1965
- Agricultural Preserve



Local History

- 1983 Procedures adopted by City Council
- 2000 procedures revised establishing the Agricultural Preserve Technical Advisory Committee (APTAC)

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PROJECT LOCATION



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ORANGECREST SPECIFIC PLAN PLANNING AREAS

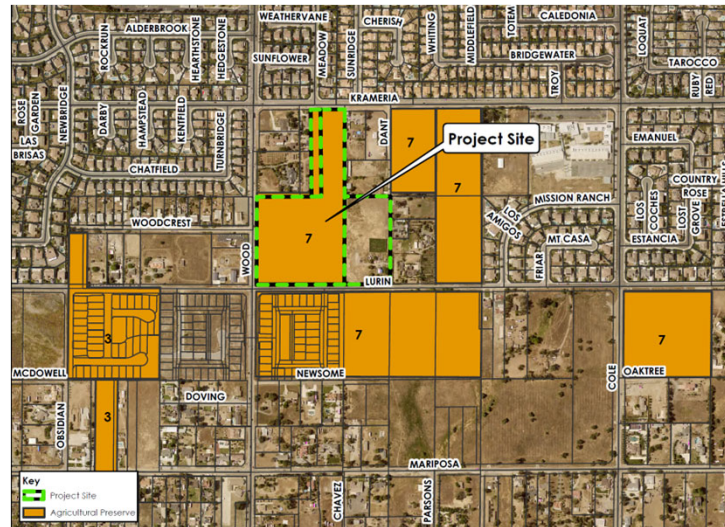


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AGRICULTURAL PRESERVE NO. 7



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SITE PLAN



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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.



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