



CANCELLATION OF WILLIAMSON ACT LAND CONSERVATION CONTRACT – MAP NO. 52

Community & Economic Development

City Council
September 7, 2021

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BACKGROUND

1. Williamson Act, known as the California Land Conservation Act of 1965
 - a) Enables local governments to enter into contracts with private landowners to restrict specific parcels to agricultural or related open space uses.
 - b) Landowners receive reduced property tax assessments based upon farming and open space uses as opposed to full market value.
2. Government Code § 51282, Land Conservation Contract Cancellation
 - a) Landowner may petition the City Council to cancel a Williamson Act Land Conservation contract only under limited circumstances and conditions.
 - b) Council is required to hold a public hearing and may grant Tentative Certificate of Cancellation only if it makes required statutory findings.
 - c) Property owner is required to pay a 12.5% cancellation fee of the property's fair market cancellation value as determined by the County Assessor's Office.
 - d) When the cancellation fee and other identified conditions are met, a Final Certificate of Cancellation is recorded.



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BACKGROUND

1. 18875 Lurin Avenue (APN 266-100-025) – approximately 10.06 acres
 - a) Property recorded Williamson Act Contract on February 27, 1970
 - b) Annexed into City of Riverside May 2008
 - c) Transfer of Title to Lurin Land, LLC on July 15, 2013
 - d) Notice of Non-Renewal and Cancellation Request June 16, 2020
2. Planning Commission approved Planning Case PR-2020-000733, entitlements to establish a planned residential development consisting of 41 single-family residential lots



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MAP & SITE PHOTO



PR-2020-000733 (TM, PRD, DR, VR), Exhibit 3 - Location Map

0 75 150 Feet



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DISCUSSION

1. Property within the Woodcrest Agriculture Preserve No. 3.
2. Orangecrest Specific Plan provides that once a Williamson Act Land Conservation Contract is cancelled, the Agriculture Preserve is diminished/terminated, property reverts to R-1-13000 single-family residential zone.
3. Government Code Section 52182 enables City Council to grant Tentative Cancellation of a Williamson Act Land Conservation Contract when specific findings are determined.



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DISCUSSION: FINDINGS

Findings:

1. Cancellation is consistent with the purposes of the California Land Conservation Act of 1965.
2. A Notice of Nonrenewal was served to the City and recorded on June 16, 2020.
3. Contract cancellation is for an alternative use consistent with the applicable provisions of the General Plan 2025.
4. Cancellation is not likely to result in the removal of additional lands from agricultural use.



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DISCUSSION: FINDINGS

Findings:

5. Cancellation will not result in dis-contiguous patterns of urban development.
6. There is no proximate, non-contracted land which is both available and suitable for the use to which the contracted land be put.
7. Cancellation is in the public interest.



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DISCUSSION

1. County of Riverside Office of the Assessor has determined the cancellation value of the property at \$2,255,000.00
2. Pursuant to Government Code Section 51283, the fee for cancellation is 12.5% of the cancellation value, calculated to be \$281,875.00
3. A mitigated negative declaration for alternative uses and the cancellation of the Contract was approved by the Planning Commission on July 22, 2021



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STRATEGIC PLAN ALIGNMENT

The actions undertaken for the Contract cancellation contributes to Strategic Priority 2 Community Well Being – 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 five Cross-Cutting Threads as follows:

1. **Community Trust** – Associated development proposal for a 41-lot Planned Residential Development was reviewed at a public meeting held by the Planning Commission on July 22, 2021. Public Hearing notices of the proposed Contract cancellation were sent to the property owners within 300 feet of the project site and to property owners with active land contracts within a mile of the project site.



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STRATEGIC PLAN ALIGNMENT

2. **Equity** – Transitioning the Property out of its long-time unproductive status into a housing development benefits the community by increasing access to housing units for Riverside residents.
3. **Innovation** –The Contract cancellation on fallow agriculturally zoned land provides for much needed housing units to meet the community's need for housing.
4. **Fiscal Responsibility** – All project costs are borne by the property owner, Lurin Land, LLC. Removal of the property from a Williamson Act Contract 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.



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RECOMMENDATIONS

That the City Council:

1. Adopt a Resolution, based on the findings set forth in this report, approving the Tentative Cancellation of Williamson Act Land Conservation Contract, Instrument Number 19064 (Assessor Parcel Number 266-100-025), located at the southeast corner of Lurin Avenue and Obsidian Drive, contingent upon conditions being satisfied;
2. Authorize the City Manager, or his designee, to execute and record the Certificate of Tentative Cancellation of Williamson Act Land Conservation Contract;



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RECOMMENDATIONS

That the City Council:

3. Authorize the City Manager, or his designee, to execute and record the Certificate of Final Cancellation of Williamson Act Land Conservation Contract upon notice of satisfaction of all conditions and contingencies required in the Certificate of Tentative Cancellation, and to execute any and all documents necessary to effectuate the cancellation of the Williamson Act Land Conservation Contract; and
4. Upon recording the Certificate of Final Cancellation of the Williamson Act Land Conservation Contract, authorize the diminishment of Agriculture Preserve No. 3 upon the execution and recording of the Certificate of Final Cancellation of Land Conservation Contract.



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