

# STAFF REPORT

## Lancaster Redevelopment Agency

RCC 7
12/09/08
MVB

Date: December 9, 2008

To: Chairman Parris and Agency Board Members

From: Vern Lawson, Economic Development and Redevelopment Director  
Urban Futures, Inc., Agency Advisors

**Subject:** Adoption of Resolution No.09-08 directing the preparation of Amendment No. 2 to the Lancaster Foxfield Redevelopment Area Plan, extending the Agency's eminent domain policy.

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### Recommendation:

Adopt **Resolution No. 09-08**, a Resolution of the Lancaster Redevelopment Agency, directing the preparation of the Proposed Amendment No. 2 to the Redevelopment Plan (the "Plan") for the Lancaster Foxfield Redevelopment Project (the "Project" or the "Project Area," as appropriate), adopting the Agency's eminent domain policy as that policy pertains to the Proposed Amendment, and directing said amendment to extend the Agency's eminent domain authority in the Project Area, except for property on which any person resides, and making the determination that a Project Area Committee (PAC) is not required.

### Fiscal Impact:

This action will support future assemblage of land parcels in the project area. Such future action(s) by the agency will include costs to be budgeted as development projects move forward.

### Background:

The Agency is proposing adoption of Amendment No. 2 to the Plan (hereafter the Plan, as proposed to be amended by Amendment No. 2, is referred to as the "Amended Plan"), for the sole purpose of extending the Agency's eminent domain authority, as permitted by California Community Redevelopment Law (CCRL; Health and Safety Code Section 33000 et seq.; specifically CCRL Section 33333.4(g)(2)), for the Project Area, which authority expired in September 2007; thereby extending the time limitation for commencement of eminent domain proceedings to acquire property, except property on which any person resides, within the Project Area for an additional 12-year period.

The necessity to extend the eminent domain authority is based upon the fact that, where and under the circumstances permitted, condemnation of real property (on which no persons reside) may be necessary for successful implementation of the Plan. This amendment is an important step in maintaining the value of plan development in the Foxfield area. The Plan area is plagued by multiple small parcel configurations which resulted historically from past real estate land promotions and subdivisions. Assemblage of larger parcels for industrial use returns this obsolete land mapping to functional usage supporting economic development for the City of Lancaster. The plan area currently is made up of approximately 1200 parcels ranging from 1.5 to 10 acres. It will be necessary to assemble smaller parcels into parcels large enough to allow for construction of buildings sized for

industrial use. The Amended Plan will provide that any eminent domain proceedings initiated by the Agency must commence within twelve (12) years from the date of the Ordinance adopting Amendment No. 2, which could be considered by the City Council as early as Spring 2009.

Extending the Agency's eminent domain authority will permit the Agency to effectively administer projects and programs within the Project Area, continue to alleviate blighting conditions and increase economic opportunities.

VL:SG:ad

Attachments:

1. Resolution No. 09-08
2. Site Map