



City of Santa Ana
20 Civic Center Plaza, Santa Ana, CA 92701
Staff Report
September 17, 2024

TOPIC: Resolution Declaring City-Owned Properties as Exempt Surplus Land

AGENDA TITLE

Resolution Declaring City-Owned Properties as Exempt Surplus Land and Directing the City Manager or their Designee to Comply with the Requirement of Government Code §54220 *et seq.* for the Sale and Activation of Surplus Land

RECOMMENDED ACTION

1. Adopt a resolution declaring City-owned property as exempt surplus land and directing the City Manager or designee to comply with the requirements of Government Code §54220 *et seq.* for the sale and transfer of ownership.

RESOLUTION NO. 2024-XXX entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA DECLARING VARIOUS PROPERTIES AS EXEMPT SURPLUS LAND AND DIRECTING THE CITY MANAGER TO FOLLOW THE PROCEDURES SET FORTH IN THE SURPLUS LAND ACT, CALIFORNIA GOVERNMENT CODE SECTION 54220, ET SEQ., AS AMENDED, FOR THEIR DISPOSITION

2. Determine that, pursuant to the California Environmental Quality Act ("CEQA"), the sales of the properties as surplus are exempt from environmental review pursuant to CEQA Guidelines section 15312 (Surplus Government Property Sales).

GOVERNMENT CODE §84308 APPLIES: No

DISCUSSION

The City owns real property assets that were acquired for various roadway improvement projects and are remnant following capital enhancements. There are miscellaneous portions of land that have remained vacant or landlocked, whose best use would be to adjoin to the adjacent property since they cannot be developed independently. In total, there are 26 remnant parcels ranging in size from 335 square feet to 7,105 square feet throughout the City identified for disposition.

Staff recommends that these remnant parcels be disposed of to generate new property taxes to fund City services and operations. Additionally, the activation of these vacant

lots will promote neighborhood improvements, while reducing City liability and the growing expenses of maintaining these lots for fencing and weed abatement on a routine basis.

The Surplus Land Act (SLA) requires all local agencies to prioritize affordable housing, parks, and open space, when disposing of surplus land. The legislation requires that before a local agency take any action to dispose of land, the land must be declared as either surplus land or exempt surplus land, and supported by written findings. Adoption of the resolution (Exhibit 1) would declare eligible City-owned vacant properties as exempt surplus land (Exhibit 2) based on qualifying categories.

In April 2024, the California Department of Housing and Community Development (HCD) updated their guidelines that delineate the requirements for disposition of city-owned land. Therefore, staff is presenting a revised list of properties that are now categorized as exempt based on their size and the update in legislation.

Notice of Exemption Determination

The land proposed to be declared as exempt is supported by Section 103(c)(3)(a) small surplus land parcels category, in which the land is less than the 21,780 square feet in area, and is not contiguous to land owned by a local agency that is used for open-space or low and moderate income housing purposes. Additionally, many of the parcels also qualify under Section 103(c)(6) surplus street land, which is a former street, right of way, or easement, and is conveyed to an owner of an adjacent property.

In alignment with Government Code section 54221 subd. (f)(1)(b), Notice of Exemption determination shall be provided to the State's Department of Housing and Community Development at least 30 days prior to disposition. Once SLA requirements are met, Staff will present a new item for consideration of disposition in compliance with the Santa Ana Municipal Code Section 2-706 Sale to Owners of Adjoining Property, and Section 2-709 Exceptions to transfer ownership of substandard vacant land.

ENVIRONMENTAL IMPACT

There is no environmental impact associated with this action.

FISCAL IMPACT

There is no fiscal impact for this action at this time. Costs for maintaining vacant lots are escalating, with charges for installation, rental fees, damaged material replacement fees, and emergency fencing requests. Selling remnant land will help to generate necessary project funding that will support right-of-way maintenance and security citywide. Staff will return to Council in the future to consider and approve any land transactions.

EXHIBIT(S)

1. Resolution Declaring Various Properties Exempt
2. Location Maps

Submitted By: Nabil Saba, P.E., Executive Director – Public Works Agency

Approved By: Alvaro Nuñez, City Manager