

RESOLUTION NO. 2021-5772

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA DECLARING PURSUANT TO THE SURPLUS LAND ACT THAT CERTAIN REAL PROPERTY OWNED BY THE CITY LOCATED AT 4859 MAIN STREET (APN: 323-304-19) IS SURPLUS LAND NOT NECESSARY FOR THE CITY'S USE

WHEREAS, the City of Yorba Linda is the owner in fee simple of that certain real property located at 4859 Main Street (APN: 323-304-19), in the City of Yorba Linda, and described in Exhibit "A," attached hereto and made a part hereof ("City Owned Parcel"); and,

WHEREAS, under the California Surplus Land Act (Government Code Sections 54220-54233) (the SLA), the surplus land is land owned in fee simple by the City for which the City Council takes formal action in a regular public meeting declaring the land is surplus and not necessary for the City's use; land must be declared either surplus land or exempt surplus land; and,

WHEREAS, under the SLA, land is necessary for the City's use if the land is being used, or is planned to be used pursuant to a written plan adopted by the City Council, for City work or operations; and,

WHEREAS, the City Council desires to declare that the subject parcel at 4859 Main Street is surplus land and is not necessary for the City's use; and,

WHEREAS, the accompanying staff report provides supporting information upon which the declaration and findings set forth in this Resolution are based;

WHEREAS, this matter is not considered a "project" pursuant to the requirements of the California Environmental Quality Act (CEQA); and,

WHEREAS, as this project involves no repeal, amendment, or adoption of all or any part of the land use planning policy documents as specified in Section 18.01.020 of the Yorba Linda Municipal Code, this project is exempt from the provisions of Chapter 18.01 of the Yorba Linda Municipal Code, also known as the "Yorba Linda Right-to-Vote Amendment;" and,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Yorba Linda as follows:

SECTION 1. The above recitals are true and correct and are a substantive part of this Resolution.

SECTION 2. The City Council hereby declares that the property addressed as 4859 Main Street (APN: 323-304-19) is surplus land and not necessary for the City's use.

SECTION 3. This Resolution has been reviewed with respect to the applicability of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"). City staff has determined that the designation of this property as surplus does not have the potential for creating a significant effect on the environment and is therefore exempt from further review under CEQA pursuant to State CEQA Guidelines Section 15060(c)(3) because it is not a project as defined by the CEQA Guidelines Section 15378. Adoption of the Resolution does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. If and when the property is sold or leased to a purchaser and that purchaser proposes a use for the property that requires a discretionary permit and CEQA review, that future use and project will be analyzed at the appropriate time in accordance with CEQA.

SECTION 4. The City Manager or his designee is authorized to submit the report of declared surplus land and exempt surplus land as part of the Annual Progress Report (APR) to the California Department of Housing and Community Development (HCD), in conformance with state law, and file a Notice of Exemption pursuant to CEQA Guidelines Section 15062.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Yorba Linda on this 7th day of December, 2021.

MAYOR
CITY OF YORBA LINDA

ATTEST:

MARCIA BROWN, CITY CLERK
CITY OF YORBA LINDA

APPROVED AS TO FORM:
RUTAN & TUCKER, LLP

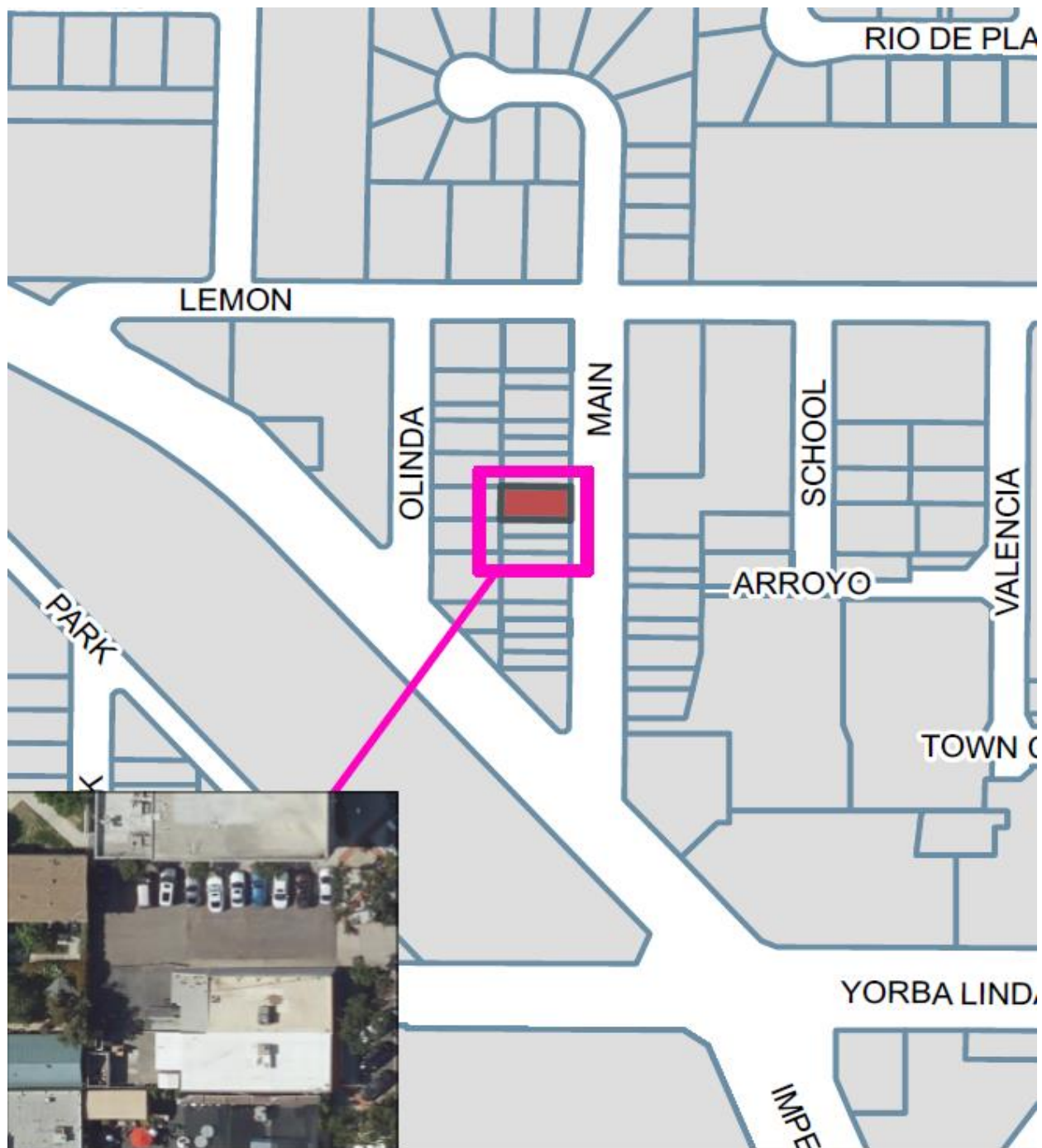
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.

I, MARCIA BROWN, City Clerk of the City of Yorba Linda, California, **DO HEREBY CERTIFY** that the foregoing Resolution was adopted at a regular meeting of the City Council of the City of Yorba Linda held on the 7th day of December, 2021, and was carried by the following roll call vote:

MARCIA BROWN, CITY CLERK
CITY OF YORBA LINDA

EXHIBIT "A"
Resolution No. 2021-5772



City Owned Parcel

4859 Main Street Yorba Linda, CA
APN: 323-304-19

Vicinity Map

City Owned Parcel Yorba Linda

