

RESOLUTION NO. _____

July 11, 2022

A RESOLUTION OF THE CITY COUNCIL OF PASADENA DECLARING CERTAIN CITY-OWNED PROPERTY AS EXEMPT SURPLUS LAND PURSUANT TO THE CALIFORNIA SURPLUS LAND ACT AND PASADENA MUNICIPAL CODE AND AUTHORIZING THE CITY MANAGER TO CARRY OUT ALL OF THE ACTIONS REQUIRED FOR THE SALE AND DISPOSAL OF SAID LAND PARCELS

WHEREAS, the City of Pasadena ("City") owns unused land parcels at 121 N. Chester Avenue and 228 Del Monte Street; and

WHEREAS, respective owners of properties adjoining and contiguous to these parcels seek to acquire said parcels; and

WHEREAS, the parcel at 121 N. Chester Avenue (APN: 5738-019-907) is 1,560 square feet in area, 9.28 feet wide, is substandard in size and configuration, with an appraised value of \$8,400.00, and would be sold to Daniel Pon, the owner of 131 N. Chester (APN 5738-019-014); and

WHEREAS, the parcel at 228 Del Monte Street (APN 5728-010-048) is 2,150 square feet in area, 31.04 feet wide, substandard in size, of such impaired configuration as to be unbuildable as a separate parcel, with an appraised value of \$11,600.00, and would be sold to Sherri Savage, the owner of 230 Del Monte Street (APN 5728-010-901); and

WHEREAS, pursuant to the Pasadena Municipal Code ("PMC"), the minimum lot size for development in the zones of the respective properties is 7,000 square feet, and the minimum lot width is 55 feet; and

WHEREAS, the State of California Surplus Land Act ("SLA;" Government Code section 54221(f)(1)(B)) requires that prior to a local agency's disposition of surplus land, the agency must send a written notice of availability ("NOA") to certain parties designated by the SLA, unless the subject properties are determined to be Exempt Surplus Land; and

WHEREAS, among the definitions of Exempt Surplus Land, the SLA identifies as Exempt Surplus Land small surplus land parcels sold to an owner of contiguous land that is less than 5,000 square feet in area or less than the minimum residential building

lot size for the jurisdiction in which the parcel is located, and is not contiguous to land owned by a state or local agency that is used for open-space or low- and moderate-income housing purposes; and

WHEREAS, pursuant to PMC section 4.02.040, among the conveyances that do not trigger the requirement of an open and competitive bidding process is the “[s]ale to an adjoining landowner of surplus residentially zoned real property which is less than one half the minimum lot area and width required or is found by the said board to be so impaired in configuration as to be unbuildable as a separate parcel;” and

WHEREAS, the sale to the respective contiguous and adjoining property owners of the parcels at 121 N. Chester Avenue and 228 Del Monte Street will benefit the City by returning these parcels to the tax rolls and placing the responsibility for their maintenance on the property owners rather than the City; and

WHEREAS, the City Council of Pasadena wishes to recognize the revenue that would be received if the parcels at 121 N. Chester Avenue and 228 Del Monte Street were sold for their fair market value.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PASADENA
RESOLVES AS FOLLOWS:**

Section 1. The Recitals set forth above are true and correct and are incorporated herein by reference.

Section 2. The proposed action is categorically exempt from CEQA under the “Surplus Government Property Sales” exemption (per Title 14, Chapter 3, Article 19, Class 12, Section 15312); there are no features that distinguish this project from others in the exempt classes, and therefore, there are no unusual circumstances; declare as unused land parcels and as “Exempt Surplus Real Properties” under the California Surplus Land Act per Section 54221, 121 N. Chester Avenue and 228 Del Monte Street.

Section 3. The parcel at 121 N. Chester Avenue is Exempt Surplus Property pursuant to California Surplus Land Act because the parcel is less than 5,000 square feet in area, is less than the minimum legal residential building lot size in its zoning district, is being sold to an owner of contiguous land (131 N. Chester, APN 5738-019-014), and is not contiguous to land owned by a state or local agency that is used for open-space or low- and moderate-income housing purposes.

Adopted at the _____ meeting of the City Council on the _____ day of _____, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Mark Jomsky
City Clerk

Approved as to form:


Dion O'Connell
Deputy City Attorney