

City Council Meeting: March 14, 2023

Santa Monica, California

RESOLUTION NUMBER 11503 (CCS)

(City Council Series)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA, CALIFORNIA, DECLARING THAT CERTAIN REAL PROPERTY OWNED BY THE CITY LOCATED AT 1217 EUCLID STREET, 1211-1217 FOURTEENTH STREET, AND 1146 SIXTEENTH STREET QUALIFIES AS EXEMPT SURPLUS LAND UNDER THE SURPLUS LAND ACT BECAUSE PROPOSED FOR 100% AFFORDABLE HOUSING DEVELOPMENT AND NOT NECESSARY FOR THE CITY'S USE; AND FINDING THAT SUCH DECLARATION IS EXEMPT FROM ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND TAKING RELATED ACTIONS

WHEREAS, the California Surplus Land Act (Government Code 54220 et seq.) (SLA) governs the sale of surplus lands and requires local agencies to prioritize opportunities for certain uses including affordable housing development for any land the entity may sell or lease; and

WHEREAS, surplus land may be declared either "surplus" or "exempt surplus" by the legislative body of the local agency as supported by written findings; and

WHEREAS, the disposition of exempt surplus land does not have to follow the procedural requirements of the Surplus Land Act, and includes surplus land that is offered for open, competitive bid for 100% affordable housing development; and

WHEREAS, the SLA and Housing Element Law require local agencies to report on the list of surplus lands in the General Plan Annual Progress Report, which is due April 1 of each year; and

WHEREAS, the City of Santa Monica owns those certain parcels at 1217 Euclid Street, 1211-1217 Fourteenth Street, and 1146 Sixteenth Street (collectively, "the

Properties”), which are more specifically described in Exhibit “A,” which is attached to this Resolution; and

WHEREAS, the Properties qualify as “exempt surplus land” within the meaning of the Surplus Land Act because the City has plans to develop these properties for qualifying affordable housing projects; and

WHEREAS, the development of the Properties for affordable housing is consistent with the City’s adopted and certified 2021-2029 Housing Element, which identifies these sites as suitable to accommodate a portion of the City’s share of regional housing need for lower income households pursuant to State law; and

WHEREAS, the City desires to issue a Request for Proposals for developers to develop affordable housing on the Properties; and

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

WHEREAS, the declaration of the City-owned properties as exempt surplus land would have no possibility of significant effect on the environment, and therefore, is exempt pursuant to Section 15061(b)(3) (Common Sense Exemption) of the California Environmental Quality Act (CEQA) Guidelines; and

WHEREAS, the issuance of an RFP for development of affordable housing on City-owned properties located near Wilshire Boulevard and 14th Street was analyzed as part of the 2021-2029 6th Cycle Housing Element Environmental Impact Report (EIR) [SCH No. 20212269242021] that was certified by Council on October 12, 2021, with an Addendum to the EIR approved on October 11, 2022. This authorization of an RFP implements a portion of that 6th Cycle Housing Element project.

WHEREAS, an analysis has been performed pursuant to CEQA Guidelines 15162 to determine whether subsequent environmental review is required for the issuance of the RFP. Based upon this analysis, the following findings are made to support the determination that no subsequent environmental review is required:

- 1) No substantial changes are proposed in the project which will require major revisions of the previous EIR and Addendum due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In this case, there are no changes to the project.
- 2) No substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous addendum due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In this case, no substantial changes have occurred.
- 3) There is no new information, which was not known and could not have been known at the time of the previous EIR and Addendum that the project will have significant effect not discussed in the EIR and Addendum.

NOW, THEREFORE, the City Council hereby resolves 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 Properties qualify as exempt surplus land because proposed for 100% affordable housing development that meet the criteria of exempt surplus land under the SLA, and the Properties are not necessary for 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 or her designee is authorized to submit the report of declared exempt surplus land as part of the Annual Report 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.

SECTION 5. The City Manager or his or her designee is hereby authorized to do all things which are deemed necessary or proper to effectuate the purposes of this Resolution, and any such actions previously taken are hereby ratified and confirmed.

SECTION 6. The City Clerk shall certify to the adoption of this Resolution, and thenceforth and thereafter the same shall be in full force and effect.

APPROVED AS TO FORM:

DocuSigned by:


DOUGLAS SLOAN
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DOUGLAS SLOAN
City Attorney

EXHIBIT "A"

1217 Euclid Street; APN 4282-004-900

1211-1217 Fourteenth Street; APN 4282-003-900 and APN 4282-003-901

1146 Sixteenth Street; APN 4281-005-900

Adopted and approved this 14th day of March 2023.

DocuSigned by:

Gleam Davis

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Gleam Davis, Mayor

I, Denise Anderson-Warren, City Clerk of the City of Santa Monica, do hereby certify that Resolution No. 11503 (CCS) was duly adopted at a meeting of the Santa Monica City Council held on the 14th day of March 2023, by the following vote:

AYES: Councilmembers Brock, de la Torre, Parra, Torosis, Zwick
Mayor Pro Tem Negrete, Mayor Davis

NOES: None

ABSENT: None

ATTEST:

DocuSigned by:

Nikima Newsome

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Nikima Newsome, Assistant City Clerk