

**RESOLUTION NO. 2022-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA DECLARING A CITY-OWNED PARCEL LOCATED AT 28725 AND 28731 PUJOL STREET IN THE CITY OF TEMECULA TO BE EXEMPT SURPLUS LAND PURSUANT TO GOVERNMENT CODE SECTIONS 54221(b)(1) AND 54221(f)(1)(A), FINDING THE DECLARATION EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND TAKING RELATED ACTIONS**

**RECITALS:**

**WHEREAS**, the City of Temecula (“City”) is the owner in fee simple of that certain real property in the City located at 28725 and 28731 Pujol Street and described on Exhibit “A”, which is attached hereto and incorporated herein by reference (“Property”). The Property is currently vacant, is approximately 0.46 acres in size, and is zoned Neighborhood Residential; and

**WHEREAS**, the City desires to sell the Property for the development of an affordable housing project thereon in order to provide needed housing in the City and to meet its Regional Housing Needs Assessment allocations for people of all income levels; and

**WHEREAS**, pursuant to Section 54221(b)(1) of the Surplus Land Act (Government Code Sections 54220-54234), the City Council must declare the Property to be “surplus land” or “exempt surplus land” before the City Council takes action to dispose of the Property; and

**WHEREAS**, Government Code Section 54221(f)(1)(A) defines “exempt surplus land” to include surplus land that is transferred pursuant to Government Code Section 37364; and

**WHEREAS**, Government Code Section 37364 authorizes a city to sell, lease, exchange, quitclaim, convey, or otherwise dispose of real property to provide housing affordable to persons and families of low or moderate income provided that the following conditions are met:

(a) Not less than 80 percent of the area of the parcel will be used for the development of housing; and

(b) Not less than 40 percent of the total number of those housing units developed on the parcel shall be affordable to households whose incomes are equal to, or less than, 75 percent of the maximum income of lower income households, and at least half of which shall be affordable to very low income households; and

(c) Dwelling units produced for persons and families of low or moderate income under Government Code Section 37364 shall be restricted by regulatory agreement to remain continually affordable to those persons and families for the longest feasible time, but not less than 30 years, with such regulatory agreement recorded in the office of the county recorder in which the housing development is located; and

**WHEREAS**, Habitat for Humanity Inland Valley, Inc., a California nonprofit public benefit corporation, has proposed to purchase the Property from the City for the purpose of developing an affordable housing project on the Property that complies with Government Code Section 37364; and

**WHEREAS**, because the proposed housing development will meet the requirements of Government Code Section 37364, staff has recommended that the City Council declare the Property to be exempt surplus land pursuant to Government Code Section 54221(f)(1)(A).

**THE CITY COUNCIL OF THE CITY OF TEMECULA DOES HEREBY RESOLVE 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 pursuant to Government Code Sections 54221(b)(1) and 54221(f)(1)(A) that the Property is exempt surplus land because the City intends to sell the Property to Habitat for Humanity Inland Valley, Inc., a California nonprofit public benefit corporation, pursuant to Government Code Section 37364 for the development of an affordable housing project on the Property that complies with the requirements of Section 37364.

Section 3. The City Council finds that it can be seen with certainty that there is no possibility that declaring the Property exempt surplus land may have a significant effect on the environment, and thus this declaration is not subject to the California Environmental Quality Act (CEQA). Further, any proposed project on the Property will be subject to environmental review as required by CEQA.

Section 4. Staff is hereby authorized and directed to provide a copy of this Resolution to the Department of Housing and Community Development (“HCD”) in the manner required by HCD.

Section 5. The staff and officers of the City are hereby authorized, jointly and severally, to take such actions as they deem necessary or proper to effectuate the purposes of this Resolution and all actions previously taken are hereby ratified

Section 6. The City Clerk shall certify as to the adoption of this Resolution.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Temecula  
this 15<sup>th</sup> day of November, 2022.

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Matt Rahn, Mayor

ATTEST:

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Randi Johl, City Clerk

[SEAL]

STATE OF CALIFORNIA     )  
COUNTY OF RIVERSIDE    ) ss  
CITY OF TEMECULA         )

I, Randi Johl, City Clerk of the City of Temecula, do hereby certify that the foregoing Resolution No. 2022-        was duly and regularly adopted by the City Council of the City of Temecula at a meeting thereof held on the 15<sup>th</sup> day of November, 2022, by the following vote:

AYES:                    COUNCIL MEMBERS:

NOES:                    COUNCIL MEMBERS:

ABSTAIN:                COUNCIL MEMBERS:

ABSENT:                 COUNCIL MEMBERS:

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Randi Johl, City Clerk