



City Council Staff Report

Subject: Properties Along Outlook Drive

Date: June 27, 2023

Submitted By: David Mohlenbrok, Community Development Director

Department: Community Development

Recommendation:

Adopt a Resolution of the City Council of the City of Rocklin Directing the City Manager to Negotiate and Execute Purchase and Sale Agreements for Portions of that Certain Real Property Designated as APN 017-350-057 within the Stanford Ranch Phase II Subdivision that are Adjacent to APNs 369-040-013, -14, -015, -016, -017, -018, -019, -020, -021 and -022 and APNs 369-050-001 and -003.

Background:

For a substantial period of time, multiple property owners along Outlook Drive have made use of portions of the real property designated as Assessors Parcel Number (APN) 017-350-057 that are owned by the City (the "Transfer Property"). The general plan and zoning designations of the Transfer Property is Recreation/Conservation and open space, respectively. The real property is not improved with homes; any improvements existing on the real property were previously installed by the adjacent property owners.

On October 25, 2022, the City Council adopted Resolution No. 2022-203, which declared the Transfer Property as "exempt surplus land" and not necessary for the City's use. On November 22, 2023, the California Department of Housing and Community Development (HCD) responded to the City of Rocklin's request for determination of the Transfer Property identified as a 10,838 square foot portion of APN 017-350-057 as "exempt surplus land." HCD reviewed Resolution No. 2022-203 pursuant to Section 400I of the Surplus Land Act Guidelines and found that the property qualifies as "exempt surplus land" under Government Code section 54221, subdivision (f)(1)(B)(i). According to the Resolution and communication between the City and HCD, the Transfer Property is 10,838 square feet in area and not contiguous to land owned by a state or local agency (other than City) that is used for open space. Resolution No. 2022-203 further provides that the City intends to sell the Transfer Property in twelve (12) distinct portions with areas ranging from 90-square feet to 3,091-square feet to the twelve (12) directly contiguous property owners of APNs 369-040-013, -014, -015, -016, -017, -018, -019, -020, -021, and -022, and APNs 369-050-001 and -003 due to encroachments into City property. HCD found that the Transfer Property qualifies as "exempt surplus land" under Government Code section 54221, subdivision (f)(1)(B)(i) because

each portion of land is under 5,000 square feet in area and will be sold to owners of contiguous land. Therefore, HCD concluded that the City is permitted to proceed with the disposition of the Transfer Property as described in Resolution No. 2022-203.

The Draft Purchase and Sale Agreement (PSA) has been provided to the property owners, and sets forth the basic terms of the sale. The PSA is included as Attachment 2. The interested parties will pay to the City of Rocklin, a purchase price of one dollar per square foot or \$500, whichever is greater, based on an appraisal conducted on October 31, 2022 (Attachment 3). The Transfer Property acquired will remain open space, with no additional development permitted. It will remain a condition of the PSA that the buyer's real property and the adjacent area of the Transfer Property be held under common ownership by the buyer and neither the buyer's real property nor the adjacent area of the Transfer Property may be sold unless both are sold to the same purchaser.

If the City Council approves the staff recommendation, final customized versions of the Purchase and Sale Agreement will be prepared for each interested parties for execution. Once each Purchase and Sale Agreement has been fully executed, the City will open an escrow account and take all necessary steps to complete each transfer.

Environmental Analysis:

Pursuant to § 15060 (c) (3) of the California Environmental Quality Act (the "CEQA") Guidelines (i.e., California Code of Regulations, Title 14, Division 6, Chapter 3, §§ 15000-15387) (the "CEQA Guidelines"), approval of this Resolution is exempt from CEQA because the actions described herein will not result in a direct or indirect physical change in the environment and the actions described herein are not a "Project", as defined within § 15378 of the CEQA Guidelines.

Fiscal Impact:

Per the appraisal, the City will realize revenues from each of the twelve PSAs at a rate of one dollar per square foot or \$500, whichever is greater. There will be expenses for various closing costs that are currently unknown, but are not anticipated to exceed \$50,000 in total.

ATTACHMENTS:

1. [Resolution](#)
2. [Purchase and Sale Agreement](#)
3. [October 31, 2022 Appraisal](#)