

GARDEN GROVE CITY COUNCIL

RESOLUTION NO. 9220-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE  
DECLARING THAT PROVISIONS OF CALIFORNIA GOVERNMENT CODE SECTION  
65402 SHALL NOT APPLY TO MINOR STREET RELATED ACQUISITIONS,  
DISPOSITIONS, ABANDONMENTS AND ALIGNMENTS

WHEREAS, Government Code Section 65402 provides that no real property shall be acquired by dedication or otherwise for street, square, park, or other public purposes, and no real property shall be disposed of, no street shall be vacated or abandoned, and no public building or structure shall be constructed or authorized, until the location, purposes and extent of such acquisition or disposition, such street vacation or abandonment, or such public building or structure have been submitted to and reported upon by the Planning Commission as to the conformity with the General Plan;

WHEREAS, Government Code Section 65402(a) allows the City Council to exempt, by resolution, the following types of minor street-related real property acquisitions, dispositions, vacations and/or abandonments from the Planning Commission conformity determination requirement: (1) the disposition of the remainder of a larger parcel which was acquired and used in part for street purposes, provided it is of a minor nature; (2) acquisitions, dispositions, or abandonments of a minor nature for street widening; or (3) alignment projects of a minor nature; and

WHEREAS, the City Council finds and determines that General Plan conformity review by the Planning Commission may impede the efficient preparation and implementation of public projects related to street improvements.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Submission to and reporting by the Planning Commission regarding conformity with the City of Garden Grove General Plan is not required for the following street-related real property acquisitions, dispositions, vacations and/or abandonments:

1. The disposition of the remainder of a larger parcel which was acquired and used in part for street purposes, provided it is of a minor nature;
2. Acquisitions, dispositions, vacations or abandonments of a minor nature for street widening; or
3. Alignment projects of a minor nature.

SECTION 2. The City Manager shall determine whether the street-related real property acquisition, disposition, vacation and/or abandonment is "of a minor nature" pursuant to this Resolution.

SECTION 3. The City Council hereby finds that the adoption of this Resolution is exempt from the California Environmental Quality Act ("CEQA") pursuant to 14 California Code of Regulations Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

SECTION 4. This Resolution shall take effect immediately.

Adopted this 27<sup>th</sup> day of May 2014.

ATTEST:

/s/ BRUCE A. BROADWATER  
MAYOR

/s/ KATHLEEN BAILOR, CMC  
CITY CLERK

STATE OF CALIFORNIA    )  
COUNTY OF ORANGE    ) SS:  
CITY OF GARDEN GROVE )

I, KATHLEEN BAILOR, City Clerk of the City of Garden Grove, do hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Garden Grove, California, at a meeting held on the 27<sup>th</sup> day of May 2014, by the following vote:

AYES:       COUNCIL MEMBERS:   (4) BEARD, JONES, NGUYEN, BROADWATER  
NOES:       COUNCIL MEMBERS:   (0) NONE  
ABSENT:    COUNCIL MEMBERS:   (1) PHAN

/s/ KATHLEEN BAILOR, CMC  
CITY CLERK