



## Resolution 2938-2024

**File #:** 24-58

**Version:** 1

**Agenda Date:** 2/15/2024

**Item #:** 4a.

Resolution making findings and determining that the acquisition of several properties (APNs 091-022-010, 091-022-020, 091-022-030, 091-025-010, 091-034-080, and 015-031-090) as part of a Chapter 8 Tax Sale is in conformance with the South San Francisco adopted General Plan in accordance with provisions of State Planning Law (Govt. Code Section 65402)

WHEREAS, in May 2023 the City received notice that the San Mateo County Tax Collector's office would be conducting a Chapter 7 public auction for tax defaulted properties; and

WHEREAS, in closed session meetings of City Council at its regular meetings on July 12, 2023, and October 25, 2023, Council provided direction to staff to object to the Chapter 7 sale of certain defaulted tax properties in order to acquire them via a Chapter 8 sale; and

WHEREAS, these properties include five remnant parcels along Westborough Boulevard between Oakmont Drive and Olympic Drive (APNs 091022010, 091022020, 091022030, 091025010, 091034080) and one remnant right of way parcel on Sylvester Road north of Associated Road (APN 015031090); and

WHEREAS, the properties along Westborough Boulevard have been the subject of past Code Enforcement action, are not properly maintained, and pose a nuisance to the community; acquiring them will stabilize the properties and provide the City with flexibility in the future should it wish to expand the Westborough right-of-way, construct pathways, or enhance landscaping; and

WHEREAS, the Sylvester Road parcel is a key uncontrolled piece of property at the center of a large development surrounded by privately owned streets; acquiring the parcel and transferring it to the Trammel Crow Company in exchange for reimbursement of all costs associated with the action will allow for its maintenance and preservation as publicly accessible right-of-way; and

WHEREAS, the City provided an objection in writing to the San Mateo County Tax Collector's Office, which acknowledged receipt and withheld these properties from the public Chapter 7 sale; and

WHEREAS, the County has indicated that a Chapter 8 tax auction may happen in the first quarter of 2024; and

WHEREAS, as the regular meeting of the City Council on January 10, 2024, Council authorized staff to purchase these parcels at a Chapter 8 tax auction; and

WHEREAS, prior to purchase of real property by the City, the Planning Commission as the planning agency for the City is required to find such disposition is in conformity with the adopted general plan in accordance with Government Code section 65402; and,

WHEREAS, the General Plan contains several goals, policies and actions which support the purchase of the remnant parcels, in the interest of ensuring safe, well-maintained, and connected neighborhoods;

WHEREAS, there are no developments contemplated with the proposed purchase of these properties, and as described the proposed acquisitions are consistent with the General Plan and previously entitled projects, and thus do not have the potential to create any significant environmental impacts.

**A. General Findings**

1. The foregoing recitals are true and correct and made a part of this resolution.
2. The documents and other material constituting the record for these proceedings are located at the Planning Division for the City of South San Francisco, 315 Maple Avenue, South San Francisco, CA 94080, and in the custody of the Chief Planner.
3. The proposed purchases of these properties are consistent with the General Plan and previously entitled projects and does not contemplate additional development, therefore, do not have the potential to cause a significant effect on the environment. Thus, no environmental review or action under the California Environmental Quality Act is necessary at this time.
4. Purchase of the remnant parcels on Westborough and Sylvester is consistent with the General Plan including the goals and policies described in the accompanying staff report, as they promote safety, well-maintained landscaped areas, and multi-modal connections, and also will help to create to support cohesive redevelopment of the East of 101 area, with a focus on multi-modal access near the Caltrain station.

NOW, THEREFORE, BE IT FURTHER RESOLVED that in accordance with California Government Code section 65402, the location, purpose and extent of the proposed purchase of several properties on Westborough (APNs 091022010, 091022020, 091022030, 091025010, 091034080) and one property on Sylvester (APN 015031090) is in conformance with the City's adopted General Plan.

\* \* \* \* \*

\* \* \* \* \*

I hereby certify that the foregoing resolution was adopted by the Planning Commission of the City of South San Francisco at a regular meeting held on then 15th day of February 2024 by the following:

vote:  
**AYES:** Chair Tzang, Vice Chair Faria, Baker, Evans, Funes-Ozturk, Pamukcu  
**NOES:** \_\_\_\_\_  
**ABSTENTIONS:** \_\_\_\_\_  
**ABSENT:** Shihadeh \_\_\_\_\_



Attest: \_\_\_\_\_

Adena Friedman  
Secretary to the Planning Commission