

CITY OF SAN DIEGO

REDEVELOPMENT PLAN  
FOR THE  
CENTRAL IMPERIAL  
REDEVELOPMENT PROJECT

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	<u>Page</u>
Section 650 <u>Public Rights-of-Way</u> . . . . .	25
ARTICLE VII     GENERAL CONTROLS AND LIMITATIONS . . . . .	26
Section 700 <u>Open Space, Landscaping, Light, Air,</u> <u>Noise and Privacy</u> . . . . .	26
Section 710 <u>Design for Development</u> . . . . .	29
Section 720 <u>Submission of Schematic Plans</u> . . . . .	30
Section 730 <u>Building Permits</u> . . . . .	30
ARTICLE VIII    EMPLOYEES AND TRAINEES FROM THE COMMUNITY . . . . .	31
Section 800 <u>Enterprise Zone Job Referral Service</u> . . . . .	31
ARTICLE IX     METHODS FOR FINANCING THE PROJECT . . . . .	32
Section 900 <u>General Description of the Proposed</u> <u>Financing Methods</u> . . . . .	32
Section 910 <u>Tax Increment Funds</u> . . . . .	32
Section 920. <u>Bonds, Advances and Indebtedness</u> . . . . .	34
ARTICLE X     ACTION BY THE CITY . . . . .	35
Section 1000 <u>Action by the City</u> . . . . .	35
ARTICLE XI     ADMINISTRATION AND ENFORCEMENT OF THE PLAN . . . . .	36
Section 1100 <u>Administration and Enforcement of the</u> <u>Plan</u> . . . . .	36
ARTICLE XII    LENGTH OF THIS PLAN . . . . .	36
Section 1200 <u>Length of This Plan</u> . . . . .	36
ARTICLE XIII   PROCEDURE FOR AMENDMENT . . . . .	37
Section 1300 <u>Procedure for Amendment</u> . . . . .	37

EXHIBITS

- EXHIBIT I     -   MAP OF PROJECT AREA BOUNDARY
- EXHIBIT II    -   LAND USE MAP
- EXHIBIT III   -   DESCRIPTION OF PUBLICLY-OWNED FACILITIES

TABLE OF CONTENTS

	<u>Page</u>
ARTICLE I        INTRODUCTION . . . . .	1
Section 100 <u>Legal Foundation</u> . . . . .	1
Section 110 <u>Project Goals and Objectives</u> . . . . .	2
ARTICLE II       GENERAL DEFINITIONS . . . . .	4
Section 200 <u>Definitions</u> . . . . .	4
ARTICLE III      PROJECT AREA BOUNDARIES . . . . .	5
ARTICLE IV       PROPOSED REDEVELOPMENT ACTIVITIES . . . . .	7
Section 400 <u>General Redevelopment Actions</u> . . . . .	7
Section 410 <u>Acquisition of Property</u> . . . . .	8
Section 420 <u>Rehabilitation and Moving of Structures</u> . . . . .	9
Section 430 <u>Participation by Property Owners and Tenants and Business Owners</u> . . . . .	10
Section 440 <u>Demolition, Clearance, Public Improvements, Building and Site Preparation</u> . . . . .	12
Section 450 <u>Relocation Assistance to Displaced Residential and Non-Residential Occupants</u> . . . . .	12
Section 460 <u>Replacement Housing Plan</u> . . . . .	14
Section 470 <u>Provision for Low- and Moderate-Income Housing</u> . . . . .	14
Section 480 <u>Disposition and Redevelopment of Property for Uses in Accordance with This Redevelopment Plan</u> . . . . .	17
Section 490 <u>Disposition and Development Documents</u> . . . . .	18
Section 495 <u>Development by the Agency of Other Public Bodies or Entities</u> . . . . .	19
Section 496 <u>Development Plans</u> . . . . .	20
Section 497 <u>Personal Property Disposition</u> . . . . .	21
Section 498 <u>Development of Transportation Concepts and Facilities</u> . . . . .	21
Section 499 <u>Parking and Loading Facilities</u> . . . . .	22
ARTICLE V        ASSISTANCE TO REDEVELOPMENT AGENCIES . . . . .	22
Section 500 <u>Cooperation with Public Bodies</u> . . . . .	22
ARTICLE VI       USES PERMITTED AND PLANNING CONSIDERATIONS . . . . .	23
Section 600 <u>Land Use and Plan Development Consideration</u> . . . . .	23
Section 610 <u>Residential Use</u> . . . . .	24
Section 620 <u>Commercial Use</u> . . . . .	24
Section 630 <u>Light Industrial Use</u> . . . . .	25
Section 640 <u>Public and Quasi Public Use</u> . . . . .	25

REDEVELOPMENT PLAN  
FOR THE  
CENTRAL IMPERIAL REDEVELOPMENT PROJECT

ARTICLE I  
INTRODUCTION

Section 100     Legal Foundation

100.1         This is the Redevelopment Plan for the Central Imperial Redevelopment Project (the "Redevelopment Plan"). The Redevelopment Plan has been prepared by the Southeast Economic Development Corporation for the Redevelopment Agency of the City of San Diego, California, (the "Agency") and will be implemented by the Agency pursuant to the Community Redevelopment Law of the State of California, the California Constitution, and all applicable local laws and ordinances. This Redevelopment Plan consists of the text, the Map of Project Area Boundary (Exhibit I), the Land Use Map (Exhibit II), and the Description of Publicly-Owned Facilities (Exhibit III).

The definitions of general terms which are contained in the Redevelopment Law govern the construction of the Redevelopment Plan unless more specific terms and definitions therefore are otherwise provided in this Redevelopment Plan.

100.2 - The proposed redevelopment of the Project Area as described in this Redevelopment Plan conforms to the Progress Guide and General Plan for the City of San Diego approved by the City Council on February 26, 1979, as amended, and the Southeast San Diego Community Plan adopted by the City Council on July 3, 1987, as amended, and sets land use and basic development standards for the redevelopment of the Project Area.

100.3         This Redevelopment Plan is based on a Preliminary Redevelopment Plan formulated and approved by the Planning Commission on February 11, 1982 (Resolution No. 3709), as subsequently amended by the Planning Commission for a minor boundary adjustment on January 10, 1985 (Resolution No. 5385).

100.4         This Redevelopment Plan provides the Agency with powers, duties and obligations to implement and further the program generally formulated for this Redevelopment Plan for the redevelopment, rehabilitation and revitalization of the Project Area. This Redevelopment Plan does not present a specific plan or establish priorities for specific projects of the redevelopment, rehabilitation and revitalization of any particular area within the Project Area. Instead, this Redevelopment Plan presents a process and basic framework within which specific redevelopment plans will

be presented, priorities for specific projects will be presented and priorities for specific solutions will be proposed. The Redevelopment Plan also provides the tools which the Agency may develop and proceed with such specific plans, projects and solutions.

Section 110 Project Goals and Objectives

110.1 The goals and objectives of this Redevelopment Plan are as follows:

A. Promote revitalization of the Central Imperial community by:

1. Promoting revitalization of the Project Area by the: rehabilitation of commercial and residential properties, the elimination of blighting influences, the provision of maintenance programs, the implementation of street lighting and landscaping programs, and the construction of street and traffic circulation improvements;
2. Encouraging the development of new commercial facilities which better serve the community and enhance the character of area's retail services through: the construction of necessary public improvements (e.g., street, sidewalk and alley improvements, circulation improvements and landscaping), site assemblage, and technical and, when available, financial assistance;
3. Providing incentives for the development of underutilized parcels of land in the Project Area which will encourage: an increased level of private investment, the development of a range of housing types available to a mix of incomes, and well-planned and well-designed development projects;
4. Developing the rescinded 157 Expressway in a manner which will help meet the housing needs of the community and have a positive impact on the surrounding residential neighborhood;
5. Promoting a desirable residential character along the East Trolley Corridor by: encouraging the redevelopment of deteriorating residential and commercial properties and eliminating non-conforming and incompatible uses;
6. Ensuring maximum opportunity for employment of local residents in permanent jobs created in new

commercial and industrial development, and in temporary residential and business construction jobs;

7. Ensuring that local people have the opportunity to establish new businesses in the new commercial facilities and are provided with information regarding technical and financial support available from various organizations including the SEDC Community Business Improvement Program; and
8. Supporting efforts to communicate and publicize to all businesses and residents up-to-date information on community revitalization efforts.

B. Provide incentives for the development of new commercial facilities to better serve the community and to upgrade the physical appearances of commercial areas on 47th Street and Market Street and Imperial Avenue by:

1. Designating appropriate zoning in the subject area;
2. Providing the necessary public facilities such as traffic controls, street lighting, street and sidewalk construction and repair, public rights-of-way landscaping, etc.;
3. Acquiring and consolidating land parcels where appropriate and necessary;
4. Providing technical assistance;
5. Providing financing as appropriate and feasible; and
6. Providing adequate parking facilities to service the commercial areas.

C. Provide incentives for the development of under-utilized parcels of land in the Project Area which will:

1. Encourage an increased level of private investment by developers, lending institutions and community residents;
2. Encourage developments which provide a mix of housing types, including senior citizen and family housing and homeownership, as well as rental units;
3. Encourage well designed developments including building design, site layout, design and location of open spaces, and landscaping plans; and

4. Encourage an economic balance in the community by providing a residential environment attractive to prospective residents of all income levels.

D. Maintain the existing residential character along the East Trolley Corridor by:

1. Providing incentives which will encourage the redevelopment of deteriorating residential and commercial properties;
2. Eliminating illegal and obnoxious uses; and
3. Providing the necessary parking facilities both on-site and off-site.

## ARTICLE II GENERAL DEFINITIONS

### Section 200     Definitions

200.1     The following definitions shall apply to this Redevelopment Plan unless otherwise indicated by the text:

A.     "Agency" means the Redevelopment Agency of the City of San Diego, California.

B.-     "City" means the City of San Diego, California.

C.     "City Council" means the City Council of the City of San Diego, California.

D.     "Planning Commission" means the Planning Commission of the City of San Diego, California.

E.     "Southeast Economic Development Corporation," or "SEDC," means the public benefit nonprofit corporation established by the City Council for the purpose of assisting the City in the economic revitalization of portions of southeast San Diego.

F.     "Southeast Community" means that area of the City designated by the City Council as the Southeast San Diego Community Planning Area.

G.     "Southeast Survey Area" means that section of the Southeast Community established by the City Council as the area of influence of the Southeast Economic Development Corporation.

H.     "Redevelopment Plan" means the Redevelopment Plan for the Central Imperial Redevelopment Project.

I. "Project Area" means the area included within the boundaries of the Central Imperial Redevelopment Project.

J. "Project" means the Central Imperial Redevelopment Project.

K. "Redevelopment Law" means the Community Redevelopment Law of the State of California (California Health and Safety Code, Sections 33000, et seq.).

L. "State" means the State of California.

### ARTICLE III PROJECT AREA BOUNDARIES

The boundaries of the Project Area are illustrated on the Map of Project Area Boundary, Exhibit I.

The legal description of the Project Area boundary is described as follows: In the City and County of San Diego, beginning at the intersection of the centerline of G Street with the eastern right-of-way boundary of Interstate 805. The Project boundary extends easterly from this intersection along the centerline of G Street across 45th Street to its intersection with the westerly prolongation of the northern boundary of Lot 388, Map 3878 (Chollas View Sub. Unit No. 2). The boundary continues along the north line of lots 406 & 407, Map 3878 to the eastern boundary of Lot 407; thence northerly along the western boundary of Lot 16 of Map 3130 (Terry Heights Sub.) approximately 20 feet; thence continuing easterly along the north boundary of Lot No. 16 of said Map 3130; thence in a direct line across Cotton Street and continuing easterly along the north line of Lot No. 1 of said Map 3130 and Lot 2, Map 5442 (Peterson Subdivision). Thence easterly in a direct line across 47th Street to its mergence with the centerline of Guymon Street. The boundary continues easterly along the centerline of Guymon Street to its intersection with the centerline of Escuela Street; thence extends southerly on the centerline of Escuela Street to its intersection with the north line of Portion Lot 40, Map 283 (Horton's Purchase); thence easterly along the north line of Lot 40 of said Map 283 to its intersection with the centerline of Guymon Street. The boundary then extends easterly on the centerline of Guymon Street to its intersection with the centerline of Euclid Avenue; thence southerly on the centerline of Euclid Avenue to its intersection with the north line of Lot A Map 2053 (Las Althuras No. 5). Thence extending in an easterly line along the north line of Lot A of said map; across 51st Street and continuing easterly along the north line of Block 22 of said map to its intersection with the centerline of Glen Road. The boundary continues on a southwesterly course along the centerline of Glen Road to its intersection with

the centerline of Market Street; thence easterly along the centerline of Market, across Pitta Street, Radio Drive, Merlin Drive, 59th Street and Iona Drive; thence continuing easterly along the north line of Lot No. 8 of Map 1551, (West Hollywood) to its intersection with the centerline of Hollywood Lane; thence northerly to its intersection with the north line of Lot 22 of Map 1299 (Hollywood Station). Thence easterly along the north lines of Lots 22 through 15 inclusive of said Map 1299 to the centerline of 60th Street; thence northerly on the centerline of 60th Street to its intersection with the north line of Lot No. 14 of said Map 1299; thence easterly along the north line of Lots 14 through 26 inclusive of said map to its intersection with the centerline of 61st Street. Thence northerly on the centerline of 61st Street to its intersection with the north line of Lot No. 10 of said Map 1299; thence easterly along the north line of Lots 10 and 21 of said map to its intersection with the centerline of Fergus Street; thence northerly on the centerline of Fergus to its intersection with the north line of Lot 20 Map 1797 (Garden Acres); thence easterly along the north line of Lots 20 and 35 of said map to its intersection with the centerline of 62nd Street; thence northerly on the centerline of 62nd Street approximately 15 feet to its intersection with the north boundary of Lot 9 of Map 1063 (Encanto Heights). Thence easterly along the north line of Lot 9 and 19 of said map to the intersection with the centerline of 63rd Street; thence northerly on the centerline of 63rd Street approximately 90 feet to its intersection with the north line of Lot 8 of said Map 1063; thence easterly along the north lines of Lots 8 and 17 (Block 4) of said map; across Stork Street and continuing in a direct line easterly along the north lines of Lots 8 and 17 (Block 5) of said map to its intersection with the centerline of 64th Street; thence northerly on the centerline of 64th Street to its intersection with the north line of Lot No. 9, Map 1385 (Klauber Melvill Subdivision); thence easterly along the north lines of Lots 9, 13, 14, 15 of said map to its intersection with centerline of 65th Street, thence southerly along the centerline of 65th Street to its intersection with the centerline of Akins Avenue. At this intersection the boundary turns easterly along the centerline of Akins Avenue proceeding across 66th, 67th and 68th Streets to its intersection with the centerline of 69th Street. Thence southerly on the centerline of 69th Street to its intersection with the centerline of Imperial Avenue; thence easterly along the centerline of Imperial Avenue to its intersection with the centerline of Flicker Street; thence southerly on the centerline of Flicker Street to its intersection with the centerline of Lisbon Street; thence westerly on the centerline of Lisbon Street to its intersection with the centerline of Chester Street; thence southerly of the centerline of Chester Street to its intersection with the centerline of Jamacha Road; thence westerly on the centerline of Jamacha Road across 68th Street to its intersection with the centerline of 68th Street; thence northerly on the centerline of 68th Street to its intersection with the centerline of Imperial Avenue. At this point

the boundary continues westerly along the centerline of Imperial Avenue to its intersection with the centerline of Woodman Street; thence southerly on the centerline of Woodman Street approximately 160 feet to the intersection of the centerline of the unnamed alley on Map 1063 (Encanto Heights Sub.). Thence westerly along the centerline of said unnamed alley across 66th Street and continuing westerly along the alley centerline across 65th Street; thence continuing westerly along said alley centerline to the intersection with centerline of 63rd Street; thence southerly along the centerline of 63rd Street approximately 115 feet to the southern boundary of Map 4793 (Encanto Plaza). The Project boundary thence continues westerly along the southern boundary of Map 4793 to its intersection with the centerline of 61st Street. Thence northerly on the centerline of 61st Street to its intersection with the centerline of Imperial Avenue. The boundary thence continues westerly along the centerline of Imperial Avenue to its intersection with the centerline to 54th Street; thence northwesterly on the centerline of 54th Street to its intersection with the centerline of Naranja Street; thence westerly along the centerline of Naranja Street to its intersection with the centerline of Euclid Avenue. At this point the Project boundary runs southerly on the centerline of Euclid Avenue to the south line of Portion Lot No. 54 of Map 283 (Horton's Purchase); thence westerly along the south lot line of Portion Lot 54 of said map to the west line of Portion Lot 54 of said map; thence northerly along the west line of Portion Lot 54 to its intersection with the centerline of Ocean View Boulevard, approximately 12 feet south of the southern boundary of Lot 53; thence westerly along the centerline of Ocean View Boulevard. The Project boundary continues westerly along the centerline of Ocean View Boulevard to its mergence with the south line of Portion Lot No. 52 Map 283 (Horton's Purchase); thence westerly along said south line across 47th Street to its mergence again with the centerline of Ocean View Boulevard; thence westerly along the centerline of Ocean View Boulevard to its intersection with the eastern right-of-way boundary of Interstate Freeway 805; thence northwesterly along the eastern right-of-way boundary of Interstate Freeway 805 to its intersection with the centerline of G Street which is the point of beginning.

#### ARTICLE IV PROPOSED REDEVELOPMENT ACTIVITIES

##### Section 400      General Redevelopment Actions

400.1      To obtain the goals and objectives of the Redevelopment Plan as set forth in Section 110, the Agency proposes the following actions to eliminate and prevent the spread of blight and blighting influences, and to strengthen the economic base of the Project Area and the Southeast Community by:

- A. Acquisition of property.
- B. Rehabilitation and moving of certain structures and improvements caused by the Agency, property owners or tenants.
- C. Participation by property owners and tenants and business owners consistent with the Redevelopment Plan.
- D. Demolition, clearance, site preparation and construction of buildings, and public improvements.
- E. Relocation assistance to displaced residential and non-residential occupants of property acquired within the Project Area.
- F. Disposition of property for uses in accordance with this Redevelopment Plan, utilizing disposition and development agreements which provide for the erection of new and meaningful jobs from the new development which will, to the greatest extent possible, be provided to the Southeast Community.
- G. Development of transportation concepts and related facilities.
- H. Retention of existing housing wherever possible.
- I. Stimulation of private and public joint redevelopment efforts in the Project Area consistent with this Redevelopment Plan.
- J.- Provision of enforcement programs to retain certain controls and establish restrictions to maintain certain land uses within the Project Area in accordance with the Redevelopment Plan.
- K. Other actions as appropriate.

Section 410      Acquisition of Property

410.1      Except as specifically exempted herein, the Agency may acquire, but is not required to acquire, all real property located in the Project, by gift, devise, exchange, purchase, eminent domain or any other legal means.

410.2      It is in the public interest and therefore is necessary, for the Agency to effectively eliminate the blighted conditions requiring redevelopment and execute the Redevelopment Plan, that the Agency be allowed to employ the power of eminent domain to acquire real property in the Project Area. However, the Agency shall not exercise the power of eminent to acquire any parcel of real property for which proceedings in eminent domain have not commenced within twelve (12) years after the effective date of the ordinance approving and adopting this Redevelopment Plan.

410.3 The Agency may, but is not required to acquire interests in oil, gas or other mineral substances within the Project Area.

410.4 The Agency is not authorized by law to acquire real property owned by public bodies which do not consent to such acquisition.

410.5 The Agency shall not acquire real property to be retained by an owner pursuant to a participation agreement if the owner fully performs under the agreement.

410.6 The Agency is authorized to acquire structures without acquiring the land upon which those structures are located. The Agency is also authorized to acquire any other interest in real property less than a fee.

410.7 The Agency shall not acquire real property on which an existing building is to be continued on its present site and in its present form and use without the consent of the owner, unless (1) such building requires structural alteration, improvement, modernization, or rehabilitation, or (2) the site or lot on which the building is situated requires modification in size, shape, or use, or (3) it is necessary to impose upon such property any of the standards, restrictions and controls of the Redevelopment Plan and the owner fails or refuses to participate in the Redevelopment Plan by executing a participation agreement.

410.8 Generally, personal property shall not be acquired. However, where necessary in the execution of this Redevelopment Plan, the Agency is authorized to acquire personal property in the Project Area by any lawful means except eminent domain.

#### Section 420 Rehabilitation and Moving of Structures

420.1 The Agency is authorized to rehabilitate and conserve or to cause to be rehabilitated and conserved any building or structure in the Project Area. The Agency is also authorized and directed to advise, encourage, and assist (through a loan program or otherwise) in the rehabilitation of property in the Project Area not owned or acquired by the Agency.

420.2 As necessary to carry out this Redevelopment Plan, the Agency is authorized to move or cause to be moved any standard structure or building, or any structure or building which can be rehabilitated and conserved to a location within or outside the Project Area and within the Southeast Survey Area.

420.3 It shall be the purpose of this Redevelopment Plan to allow for the retention of as many existing businesses and residences as practical, and to add to the economic life of these businesses by a program of voluntary participation in their conservation and rehabilitation. The Agency is authorized to

conduct a program of assistance and enforcement to encourage owners of property within the Project Area to upgrade and maintain their property, consistent with this Redevelopment Plan and such standards as may be developed for the Project Area.

420.4 Rehabilitation in the Project Area shall be subject to the following provisions:

- ° The rehabilitation of the structure must be compatible with land uses as provided for in this Redevelopment Plan;
- ° The rehabilitation and conservation of the structure must be carried out in an expeditious manner and in conformance with the requirement of this Redevelopment Plan and such property rehabilitation standards as may be adopted by the Agency and the City and in certain instances, the federal government.
- ° The rehabilitation of the structure must provide for any proposed expansion of public improvement, facilities and utilities.
- ° The rehabilitation of a structure must conform to architectural standards and landscape requirements set by the Agency.
- ° The rehabilitation of a structure shall not interfere with or deter the Agency's authority to assemble and develop areas in accordance with the Redevelopment Plan.

420.5 The Agency may adopt property rehabilitation standards for the rehabilitation of properties in the Project Area.

420.6 The Agency shall not assist in the rehabilitation of properties which, in its opinion, are not economically and/or structurally feasible.

Section 430 Participation by Property Owners and Tenants and Business Owners

430.1 The Agency shall encourage owners of residential, commercial, industrial and all other types of property to participate in the redevelopment of the Project Area. In this regard, the Agency shall extend preferences to owners of businesses who are engaged in the Project Area to enter or reenter into business within the redeveloped area if they otherwise meet the requirements prescribed by the Redevelopment Plan.

430.2 Owners of residential, business and other types of property in the Project Area shall be given the opportunity to participate in the redevelopment of the Project Area. Such

participation may include rehabilitation, retention of improvements, new development or retention of all or a portion of their properties, acquisition of adjacent properties from the Agency or other properties within the Project Area.

430.3 In the event an owner-participant fails or refuses to maintain, or rehabilitate or newly develop his or her real property pursuant to this Redevelopment Plan and a participation agreement (as defined in Section 430.8), the real property or any interest therein may be acquired by the Agency.

430.4 If conflicts develop between the desires of participants for particular sites or land uses, the Agency is authorized to establish reasonable priorities and preferences among the owners and tenants.

430.5 In addition to opportunities for participation by individual persons and firms, participation to the extent it is feasible shall be available for two or more persons, firms or institutions, to join together in associations, partnerships, corporations, or other joint entities.

430.6 The Agency shall promulgate and, as appropriate, amend rules for owner and tenant participation.

430.7 Participation opportunities in the Project Area are subject to factors such as, but not limited to, the following:

- A. The elimination and/or modification of some land uses.
- B. The construction, realignment, widening or abandonment of some streets and public rights-of-way.
- C. The feasibility and ability of participants to finance and complete the proposed improvements.
- D. The reduction or addition of the total number of individual parcels in the Project Area.
- E. The construction or expansion of public facilities and improvements.
- F. Change in orientation and character of portions of the Project Area.
- G. The preservation and/or rehabilitation of existing buildings which have historic and/or architectural qualities that will enhance the Project Area.
- H. The removal, relocation and/or installation of public utilities and public facilities.

I. The requirements of this Redevelopment Plan, applicable laws and regulations of the City and any design guidelines and/or landscape plans approved by the Agency.

430.8 Each participant who has submitted an acceptable proposal to the Agency shall enter into a binding agreement with the Agency by which the participant agrees to rehabilitate, develop, or use and maintain the property in conformance with the Redevelopment Plan and to be subject to the provisions hereof. In such agreements, participants who retain real property shall be required to execute for recordation all such documents as are necessary to make the provisions of this Redevelopment Plan applicable to their properties.

430.9 Whether or not a participant enters into a participation agreement with the Agency, the provisions of this Redevelopment Plan shall nonetheless be applicable to all public and private property in the Project Area.

Section 440 Demolition, Clearance, Public Improvements, Building and Site Preparation

440.1 The Agency is authorized to demolish and clear buildings, structures and other improvements from any real property in the Project Area as necessary to carry out the objectives of this Redevelopment Plan.

440.2 To the extent and in the manner permitted by law, the Agency is authorized to install and construct or to cause to be installed and constructed the public improvements and public utilities (within or outside the Project Area) necessary to carry out the Redevelopment Plan. Such public improvements include, but are not limited to, over- or underpasses, bridges, streets, curbs, gutters, sidewalks, streetlights, sewers, storm drains, traffic signals, electrical distribution systems, parks, plazas, playgrounds, motor vehicle parking facilities, landscaped areas, street furnishings and transportation facilities.

440.3 To the extent and in the manner permitted by law, the Agency is authorized to prepare, or cause to be prepared, as building sites, any real property in the Project Area owned by the Agency. The Agency is also authorized (to such extent and in such manner permitted by law) to construct foundations, platforms and other structural forms, buildings to be used for residential, commercial, public and other uses provided in this Redevelopment Plan.

Section 450 Relocation Assistance to Displaced Residential and Non-Residential Occupants

450.1 The Agency shall provide relocation advisory assistance to all persons (including individuals and families), business

concerns and others displaced by the Agency within the Project Area. In order to carry out the Project with a minimum of hardship to persons (including individuals and families), business concerns and others, if any, displaced from their respective places of residence or business, the Agency shall assist such persons and business concerns with finding new locations that are decent, safe, sanitary, within their respective financial means, in reasonably convenient locations and otherwise suitable to their respective needs. The Agency may provide housing inside or outside the Project Area for displaced persons. All relocation advisory services shall comply with the rules and regulations for implementation of the California Relocation Assistance Law adopted by the Agency.

450.2 The Agency shall be authorized to make relocation payments to persons (including individuals and families), business concerns, nonprofit local community institutions and others displaced from property within the Project Area, for moving expenses and direct losses of personal property, for which reimbursement or compensation is not otherwise made, and shall also be authorized to make such additional relocation payments as may be required by law. All relocation payments shall be made pursuant to the Agency rules and regulations, the California Relocation Assistance Law (Government Code, Sections 7260, et seq.) and the guidelines of the California Department of Housing and Community Development adopted and promulgated pursuant thereto. The Agency may make such other payments as may be appropriate and for which funds are available. The Agency may also amend its relocation rules and regulations from time to time.

450.3 No persons or families of low and moderate income shall be displaced unless there are housing units of comparable rent costs that are suitable and adequate and that are located within the Project Area or the immediate environs. The replacement housing shall be decent, safe, sanitary, adequate in space requirements and otherwise standard dwellings. The Agency shall not displace any such persons and families until these housing units are available and ready to occupy.

Whenever persons or families of low and moderate income are displaced from housing in the Project Area, the Agency shall, within three (3) years of such displacement, make available permanent replacement housing. In the event permanent replacement housing is not available immediately upon the displacement of any person(s), the Agency shall make available temporary replacement housing until permanent replacement housing is available. Such temporary replacement housing shall meet the requirements found in the rules and regulations for implementation of the California Relocation Assistance Law adopted by the Agency. The Agency shall work with existing owners and developers of new projects to develop as many permanent replacement housing units within the Project Area as possible. In the event permanent replacement housing, as

defined in federal and state law and in the rules and regulations for implementation of the California Relocation Assistance Law adopted by the Agency, cannot be found, the Agency shall, as a last resort, provide such housing utilizing its own resources.

450.4 Whenever all or any portion of the Project Area is developed with low- or moderate-income dwelling units, the Agency shall require by contract, or other appropriate means, that such dwelling units shall be made available for rent or purchase to those persons and families of low or moderate income displaced by the Project. Such persons and families shall be given priority in renting or purchasing such dwelling units; provided, however, failure to give such priority shall not affect the validity of title to the real property upon which such dwelling units have been developed.

#### Section 460 Replacement Housing Plan

460.1 The Agency shall adopt by resolution replacement housing plans not less than thirty (30) days prior to the execution of an owner participation agreement, or an agreement for acquisition of real property, or an agreement for the disposition and development of property, which would lead to the destruction or removal of dwelling units from the low- and moderate-income housing market.

460.2 Each replacement housing plan shall include: (1) the general location of housing to be rehabilitated, developed or constructed pursuant to Section 33413 of the Redevelopment Law; (2) an adequate means of financing such rehabilitation, development or construction; (3) a finding that the replacement housing does not require the approval of the voters pursuant to Article XXXIV of the California Constitution, or that such approval has been obtained; (4) the number of dwelling units housing persons and families of low or moderate income planned for construction or rehabilitation; and (5) the schedule for meeting the plan's relocation, rehabilitation and replacement housing objectives. No dwelling unit shall be destroyed or removed from the low- and moderate-income housing market until the Agency has by resolution adopted a replacement housing plan as required by law.

460.3 A dwelling unit that the Agency owns and which poses immediate danger to health and safety may be destroyed or removed from the low- and moderate-income housing market. A replacement housing plan will be implemented as soon as feasible in regards to each such dwelling unit.

#### Section 470 Provision for Low- and Moderate-Income Housing

470.1 The terms "affordable housing cost," "replacement dwelling unit," "persons and families of low or moderate income," "very low income households" and "housing fund," as used herein,

shall have the meanings as defined by the Redevelopment Law and other state and local laws and regulations pertaining thereto.

470.2 The Agency may, inside or outside the Project Area, acquire land, donate land, improve sites or construct or rehabilitate structures in order to provide housing for persons and families of low or moderate income. The Agency may also provide subsidies to, or for the benefit of, such persons and families or households to assist them in obtaining housing within the City.

470.3 In accordance with Sections 33334.5 and 33413 of the Redevelopment Law, whenever dwelling units housing low- or moderate-income persons and/or families are destroyed or removed from the low- and moderate-income housing market as part of the Project, the Agency shall, within four (4) years of such destruction or removal, rehabilitate, develop or construct, or cause to be rehabilitated, developed or constructed, for rental or sale to persons and families of low or moderate income an equal number of replacement dwelling units at affordable housing costs within the territorial jurisdiction of the Agency, preferably within the Project Area, in accordance with all of the provisions of Sections 33413 and 33413.5 of the Redevelopment Law.

Low- and moderate-income units in the Project Area that do not require replacement pursuant to this Redevelopment Plan are those units which are destroyed with no financial assistance from or agreement with the Agency.

470.4 Pursuant to Section 33334.2 of the Redevelopment Law, and unless otherwise excused pursuant to law, not less than 20 percent (20%) of all taxes which are allocated to the Agency pursuant to subdivision (b) of Section 33670 of the Redevelopment Law shall be used by the Agency for the purposes of increasing, improving and preserving the City's supply of low- and moderate-income housing available at affordable housing cost, to persons and families of low or moderate income, and very low income households, as defined by Section 50052.5, Section 50093 and Section 50105 of the Redevelopment Law, respectively.

The housing strategies of the Agency shall consist of rehousing existing families within the Project Area, maintaining ownership status, building adequately sized units, encouraging neighborhood self-help housing, assuring the health and safety of residents, providing alternatives to ownership (rental and cooperative housing) and building a new stock of affordable homes to replace dilapidated, older homes.

The Agency is required pursuant to Redevelopment Law, Section 33334.2 to create a separate segregated Low- and Moderate-Income Housing Fund for any tax increment revenues set aside for low- and moderate-income housing.

The Housing Fund will serve to increase, improve and preserve the supply of low- and moderate-income housing (Redevelopment Law, Sections 33334.2 and 33334.3), which shall benefit the Project Area. In carrying out the purposes of Section 33334.2, the Agency may exercise any or all of its powers, including but not limited to, the following:

- ° Acquire land or building sites;
- ° Improve land or building sites with on-site or off-site improvements;
- ° Donate land to private, public or nonprofit persons or entities;
- ° Construct buildings or structures;
- ° Acquire buildings or structures;
- ° Provide subsidies to or for the benefit of persons or families of very low, low or moderate income;
- ° Develop plans, pay principal and interest on bonds, loans, advances or other indebtedness, or pay financing or carrying charges;
- ° Pay a portion of the principal and interest on bonds issued to finance low- and moderate-income housing; and
- ° - Preserve subsidized housing and units subject to conversion to market rate rental.

The Agency may use these funds to meet, in whole or in part, the replacement housing provisions. These funds may be used inside or outside the Project Area, provided however, that funds may be used outside the Project Area only if findings of benefit to the Project Area are made as required by said Section 33334.2 of the Redevelopment Law.

470.5 Pursuant to Section 33334.2 of the Redevelopment Law, at least thirty percent (30%) of all new or rehabilitated dwelling units developed by the Agency shall be available at affordable housing cost to persons and families of low or moderate income; and of such thirty percent (30%), not less than fifty percent (50%) thereof shall be for very low income households. At least fifteen percent (15%) of all new or rehabilitated dwelling units developed within the Project Area by public or private entities or persons other than the Agency shall be available at affordable housing cost to persons and families of low or moderate income; and of such fifteen percent (15%), not less than forty percent (40%) thereof shall be for very low income households. The requirements set forth in this Section 470.5 shall apply independently of the

requirements of Section 470.3, and shall apply in the aggregate to housing made available under this Section 470.5, and not to each individual case of rehabilitation, development or construction of dwelling units.

470.6 The Agency shall require that the aggregate number of replacement dwelling units and other dwelling units rehabilitated, developed or constructed, or caused to be rehabilitated, developed or constructed, pursuant to Sections 470.3 and 470.5, shall remain available at affordable housing costs to persons and families of low income, moderate income and very low income households, respectively, for the longest feasible time, as determined by the Agency, but for not less than the duration of this Redevelopment Plan's development controls.

Section 480 Disposition and Redevelopment of Property for Uses in Accordance with This Redevelopment Plan

480.1 For the purposes of this Redevelopment Plan, the Agency is authorized to sell, lease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust, or otherwise dispose of any interest in real property. Neither all nor any portion of any property shall be resold by the Agency to the person from whom such property was obtained at a price lower than that for which it was purchased by the Agency.

480.2 To the extent and in the manner permitted by law, the Agency is authorized to dispose of real property by negotiated lease or sale or transfer without public bidding after a public hearing.

480.3 All conveyance of Agency property, whether by lease, sale, sublease or subsequent resale, shall be subject to the obligation that jobs resulting from the development or use of the property, including construction jobs as well as permanent jobs to be located in business uses, shall, to the greatest extent possible, be provided to community residents.

480.4 Before any interest in real property of the Agency acquired in whole or in part, directly or indirectly, with tax increment monies is sold, leased or otherwise disposed of for development pursuant to this Redevelopment Plan, such sale, lease or disposition shall be first approved by the City Council after public hearing in conformance with Section 33433 of the Redevelopment Law.

480.5 All real property acquired by the Agency in the Project Area shall be sold or leased for development to public, nonprofit or private agencies, persons or entities for development for prices which shall not be less than fair value for the uses in accordance with this Plan, provided real property acquired by the Agency may be conveyed by the Agency without charge to the City and where

beneficial to the Project Area without charge to any other public body. Property containing buildings or structures rehabilitated by the Agency shall be offered for resale within one year after completion of rehabilitation or an annual report concerning such property shall be published by the Agency as required by law.

480.6 Pursuant to the provisions of this Redevelopment Plan and the rules adopted by the Agency, the Agency shall give reasonable preference for real property acquired by the Agency in the Project Area for purchase and development by owner and tenant participants on a preference basis over persons who are not owners or tenants in the Project Area.

480.7 The Agency shall reserve such powers and controls in the disposition and development documents as may be necessary to prevent transfer, retention or use of property for speculative purposes and to insure that developments are carried out pursuant to this Redevelopment Plan.

480.8 All purchasers or lessees of property acquired from the Agency shall be made obligated to use the property for the purposes designated in this Redevelopment Plan, to begin and complete development of the property within a period of time which the Agency fixes as reasonable, and to comply with other conditions which the Agency deems necessary to carry out the purposes of this Redevelopment Plan.

Section 490 Disposition and Development Documents

490.1 - To provide adequate safeguards to ensure that the provisions of this Redevelopment Plan will be carried out and to prevent the recurrence of blight and to reduce the community's unemployment, all real property sold, leased or conveyed by the Agency, as well as all property subject to participation agreements, shall be made subject to the provisions of this Redevelopment Plan, any adopted design guidelines and other conditions imposed by the Agency, by appropriate documentation. Where appropriate, as determined by the Agency, such documents or portions thereof shall be recorded in the Office of the Recorder of the County.

490.2 The leases, deeds, contracts, agreements and declarations of restrictions may contain restrictions, covenants, covenants running with the land, rights of reverter, conditions subsequent, equitable servitudes, or any other provisions necessary to carry out this Redevelopment Plan.

490.3 All property in the Project Area is hereby subject to the restriction that there shall be no discrimination or segregation based upon race, sex, marital status, color, religion, national origin or ancestry, in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of property in the Project Area.

All property sold, leased, conveyed or subject to a participation agreement shall be made expressly subject by appropriate documents to the restriction that all deeds, leases or contracts for sale, lease, sublease or other transfer of land in the Project Area shall contain such nondiscrimination and nonsegregation clauses as are required by law. All deeds, leases or contracts for the sale, lease or other transfer of land in the Project Area shall contain the non-discrimination clauses prescribed in Section 33436 of the Redevelopment Law.

Section 495      Development by the Agency of Other Public Bodies or Entities

495.1      To the extent and in the manner now or hereafter permitted by law, the Agency is authorized to pay for, develop or construct any building, facility, structure or other improvement, either within or outside the Project Area, for itself or for any public body or entity, which buildings, facilities, structures, or other improvements are or would be of benefit to the Project Area or the immediate neighborhood in which the Project Area is located, regardless of whether such improvement is within another project area, and that no other reasonable means of financing such buildings, facilities, structures or other improvements are available to the community. The Agency is also authorized to financially (and otherwise) assist buildings, facilities, structures or other improvements (within or outside the Project Area) to the extent permitted by law. The Agency may enter into contracts, leases, and agreements with the City or other public body or entity pursuant to this Section 495.1 and the obligation of the Agency under such contract, lease, or agreement shall constitute an indebtedness of the Agency which may be made payable out of the taxes levied in the Project Area and allocated to the Agency under subdivision (b) of Section 33670 of the Redevelopment Law and under Section 910 of this Redevelopment Plan, or out of any other available funds.

495.2      Without limiting the generality of the foregoing, the Agency may pay for, install or construct the following facilities, and may require or pay for land required therefore:

- A.      Streets and right-of-way areas.
- B.      Parks.
- C.      Landscaping, open space and lighting.
- D.      Sewers and water utilities.
- E.      Flood control and drainage facilities.
- F.      Parking facilities and foundation structures.

G. Curbs, gutters and sidewalks.

H. Library and community cultural facilities.

The acquisition of property and installation or construction of each facility referred to above in this Section 495.2, and those referred to more specifically in the Description of Publicly-Owned Facilities (Exhibit III), is provided for in this Plan.

495.3 When the value of such land or the cost of the installation and construction of such building, facility, structure or other improvement, or both, has been, or will be paid or provided for initially by the City or other public corporation, the Agency may enter into a contract with the City or other public corporation under which it agrees to reimburse the City of other public corporation for all or part of the value of such land or all or part of the cost of such building, facility, structure or other improvement, or both, by periodic payments over a period of years.

495.4 The obligation of the Agency under such contract shall constitute an indebtedness of the Agency for the purpose of carrying out the Redevelopment Plan for the Project Area. The indebtedness may be made payable out of taxes levied in the Project Area and allocated to the Agency under subdivision (b) of Section 33670 of the Redevelopment Law, or out of any other available funds.

495.5 In a case where: (1) such land has been or will be acquired; or (2) the cost of the installation and construction of such building, facility, structure or other improvement has been paid by a parking authority, joint powers entity or other public corporation to provide a building, facility, structure or other improvements which has been or will be leased to the City, such contract may be made with, and such reimbursement may be made payable to, the City.

495.6 Before the Agency commits to use the portion of taxes to be allocated and paid to the Agency pursuant to subdivision (b) of Section 33670 for the purpose of paying all or part of the value of the land for, and the cost of the installation and construction of, any publicly-owned building (other than parking facilities), the City Council shall hold a public hearing in accord with the provisions of Section 33679 of the Redevelopment Law.

#### Section 496 Development Plans

496.1 All development plans (whether public, nonprofit or private) shall be submitted to the Agency for approval and architectural review and processed in the manner provided by applicable City codes as they are, or as they may be amended from time to time. All development in the Project Area must conform to this Redevelopment Plan and all federal, state and local laws, as

well as all City and Agency design review procedures adopted by the Agency.

496.2 All development plans, (whether public or private) shall be submitted to the Agency for approval and architectural review. All development in the Project Area must conform to this Redevelopment Plan and all applicable federal, state and local laws, and must receive the approval of the appropriate public agencies.

496.3 During the period of development in the Project Area, the Agency shall insure that the provisions of this Redevelopment Plan and of other documents formulated pursuant to this Redevelopment Plan are being observed, and that development in the Project Area is proceeding in accordance with disposition and development documents and time schedule.

Section 497 Personal Property Disposition

497.1 For the purposes of this Redevelopment Plan, the Agency is authorized to sell, lease, exchange, transfer, assign, pledge, encumber or otherwise dispose of personal property.

Section 498 Development of Transportation Concepts and Facilities

498.1 The East Trolley Corridor is essential to the Project as well as to the entire City. The Agency, in cooperation with the City, the Metropolitan Transit Development Board, and (as appropriate) with other entities, may explore other concepts and develop facilities to increase transportation efficiency. Possible concepts are: creation of new streets; bridging, decking or depression of streets; realignment of streets; widening of streets; creation of pedestrian bridges within the Project Area. A goal of the Redevelopment Plan is to create a street hierarchy that will produce local residential, collector and major streets within the Project Area.

498.2 Any changes in the existing street layout shall be in accord with the objectives of this Redevelopment Plan, and the City's design standards and shall be effectuated in the manner prescribed by state and local law and be guided by the following criteria:

1. A balancing of the needs of proposed and potential new development for adequate pedestrian and vehicular access, vehicular parking and delivery loading docks with similar needs of existing development proposed or potentially proposed to remain. Such balancing shall take into consideration the rights of existing owners and tenants under the participation and preference rules adopted by

the Agency for the Project, and any participation agreements executed thereunder;

2. The requirements imposed by such factors as topography, traffic safety and aesthetics;
3. The potential need to serve not only the Project Area and new or existing developments, but to also serve areas outside the Project by providing convenient, efficient vehicular access and movement; and
4. The potential need or desire to accommodate the facilities and/or equipment of mass transportation modes.

498.3 The public rights-of-way may be used for vehicular and/or pedestrian traffic, as well as for public improvements, public and private utilities, and activities typically found in public rights-of-way. In addition, all necessary easements for public uses, public facilities and public utilities may be retained, amended or created.

#### Section 499 Parking and Loading Facilities

499.1 Parking is a permitted use throughout the Project Area. Parking must meet all applicable City standards. The Agency, in its sole discretion may impose locational screening and curb cut requirements which may vary from general, City-wide standards. Parking spaces shall be paved and drained so that storm and surface waters draining from parcels will not cross public sidewalks. Lighting for parking spaces shall be shielded from adjacent properties.

499.2 Off-street loading facilities for commercial and industrial uses shall be located in a manner to avoid interference with public use of sidewalks and in conformance with City codes. Off-street loading facilities must also be screened by landscaping to the extent and in the manner established by the Agency.

499.3 Parking sites may be established on property in the Project Area to replace on-street parking as appropriate.

### ARTICLE V ASSISTANCE TO REDEVELOPMENT AGENCIES

#### Section 500 Cooperation with Public Bodies

500.1 Certain public bodies are authorized by state law to aid and cooperate, with or without consideration, in the planning, undertaking, construction or operation of this Project. The Agency shall seek the aid and cooperation of such public bodies and shall

attempt to coordinate this Redevelopment Plan with the activities of such public bodies in order to accomplish the purposes of redevelopment and the highest public good.

500.2 The Agency, by law, is not authorized to acquire real property owned by public bodies without the consent of such public bodies. The Agency, however, will seek the cooperation of all public bodies which own or intend to acquire property in the Project Area. The Agency shall impose on all public bodies the planning and design controls contained in this Redevelopment Plan to ensure that present uses and any future development within the Project Area by such public bodies will conform with the requirements of this Redevelopment Plan. Any public body which owns or leases property in the Project Area will be afforded all privileges of owner and tenant participation if such public body is willing to enter into a participation agreement with the Agency. All plans for development of property in the Project Area by a public body shall be subject to Agency approval. The Agency is authorized (to the extent and in the manner permitted by law) to financially (and otherwise) assist any public body in the cost of public land, buildings, facilities, structures or other improvements (within or outside of the Project Area).

500.3 The Agency may pay to any taxing agency (other than the City located within the Project Area) any amounts of money which, in the Agency's determination, are appropriate to alleviate any financial burden or detriment caused to any such taxing agency by the Project Area.

500.4 - During such time as property, if any, in the Project Area is owned by the Agency, such property shall be under the management, maintenance and control of the Agency. Such property may be rented or leased by the Agency pending its disposition for redevelopment, and such rental or lease shall be pursuant to such policies as the Agency may adopt.

500.5 The Agency is authorized, but not required, in any year during which it owns property in the Project Area, to make payments (in lieu of property taxes) to taxing agencies for whose benefit a tax would have been levied upon such property had it not been exempt by reason of the Agency's ownership.

## ARTICLE VI USES PERMITTED AND PLANNING CONSIDERATIONS

### Section 600 Land Use and Plan Development Consideration

600.1 The Land Use Map (Exhibit II) sets forth the proposed public rights-of-way and land uses permitted in the Project Area for all public, semi-public and private land. All development

shall conform to the requirements of applicable state statutes and local codes as they now exist or are hereafter amended.

600.2 Area A is designated for single-family/lower density residential use.

600.3 Area B is designated for multi-family residential use.

600.4 Area C is designated for commercial use.

600.5 Area D is designated for light industrial use.

600.6 Public and private open space is permitted within any portion of the Project Area.

#### Section 610 Residential Use

610.1 Areas shown on the Land Use Map as single family/lower density residential use shall be developed and used for single family housing. Such single family housing may include attached or detached housing, townhomes, condominium housing and other legally permitted housing types consisting of not more than four (4) dwelling units. Other uses allowed include public serving facilities, institutions, religious establishments, parks and open space amenities. Emphasis is on the rehabilitation and reconstruction of existing dwelling units in the area and to consolidate residential uses to create a neighborhood identity. New housing and reconstructed housing should be developed according to City standards. Consistent with the Redevelopment Plan, and to the extent possible, new housing and existing units should be priced to ensure that people from this market area will be able to afford living there. New housing developments shall include amenities and facilities that are appropriate for existing Project Area residents.

610.2 Areas shown on the Land Use Map as multi-family residential use shall be developed and used for multiple family housing. Such multiple family housing shall include all legally permitted housing types consisting of more than four (4) dwelling units. Except as noted herein, the criteria and procedure for development within the multi-family residential area shall be the same as that for the single family/lower density area.

#### Section 620 Commercial Use

620.1 The Land Use Map shows primarily commercial use designated for selected areas, that is Area C. The planning emphasis is to construct and rehabilitate existing structures and facilities pursuant to rehabilitation standards to be developed by the Agency and the City. Commercial facilities include, but are not limited to: retail sales and services, general and specialty

office, on-site craft making, eating, drinking and entertainment establishments, food sales, convenience sales, banking services, administrative commercial activities, consulting and financial services, business and communication services, public uses, private clubs, fitness clubs and fraternal organizations. Some light industrial, wholesale, trade, warehouse and distribution facilities associated with retail and commercial uses and some consumer repair services will also be oriented to this area. Commercial uses must give preference to community needs. Customer intensive uses are encouraged at the ground level.

#### Section 630 Light Industrial Use

630.1 The Land Use Map shows light industrial and associated services designated for selected areas, that is Area D. Uses permitted in areas designated as light industrial include, but are not limited to: industrial services; manufacturing; processing; assembly; treatment and packaging of finished parts or products primarily from previously prepared materials but excluding basic industrial processing from raw materials and food processing; commercial related uses such as vehicle/equipment sales and services; and automobile repair, auto rentals and storage, and warehousing.

#### Section 640 Public and Quasi Public Use

640.1 In any part of the Project Area, the Agency is authorized to permit the maintenance, establishment or enlargement of public, semi-public, institutional or nonprofit uses, including park and recreational facilities, parking facilities, libraries, educational, fraternal, employee, philanthropic, religious and charitable institutions, utilities, railroad rights-of-way, multi-modal transit facilities, and facilities for other similar purposes, associations or organizations. All such uses shall conform so far as possible to the provisions of this Redevelopment Plan. The Agency may impose such other reasonable restrictions as may be necessary to protect the uses and development in the Project Area.

640.2 Emphasis in this land use designation is to expand and construct standard size schools, and provide an adequate learning environment as well as increase opportunities for public amenities. The educational facilities shall conform to standards approved by the Agency.

#### Section 650 Public Rights-of-Way

650.1 The following public rights-of-way may be landscaped and street lighting increased and utilities undergrounded as necessary to improve the visual quality of the Project Area.

- A. Market Street (from I-805 to Pitta Street).

- B. Imperial Avenue (from I-805 to 69th Street).
- C. 47th Street (from Market Street to Imperial Avenue).
- D. Euclid Avenue (from Market Street to Oceanview Boulevard).

650.2 All development occurring in the Project Area will provide adequate off-street parking in accordance with local codes.

650.3 As indicated on the Land Use Map, the major public streets in the Project Area are Market Street, Imperial Avenue and Euclid Avenue. Collector streets include 35th, 38th, 40th, 47th, 61st and 69th Streets and Valencia Parkway. These streets may be altered and improved as traffic conditions warrant. All streets and alleys may be widened, altered, realigned, abandoned, depressed, decked or closed as necessary for the proper development of the Project Area. Additional public streets, rights-of-ways and easements may be created as considered appropriate for development.

650.4 Sewer and water lines and any other public utility facilities may be replaced, removed or realigned as necessary for proper development of the Project Area.

650.5 The air rights over public rights-of-way may be used for private uses, buildings and platform decks, subject to Agency approval. The public rights-of-way may further be used for transportation systems, vehicular and/or pedestrian traffic, as well as for public improvements, public and private utilities, and activities typically found in public rights-of-way.

650.6 In any area of the Project Area, the Agency is authorized to permit the establishment or enlargement of public, semi-public, institutional or nonprofit uses, including park and recreational facilities, libraries, hospitals, educational, fraternal, employee, philanthropic and charitable institutions, and facilities of other similar associations or organizations.

## ARTICLE VII GENERAL CONTROLS AND LIMITATIONS

### Section 700 Open Space, Landscaping, Light, Air, Noise and Privacy

700.1 All real property in the Project Area is hereby made subject to the controls and requirements of this Redevelopment Plan. No real property shall be developed, rehabilitated or otherwise changed after the date of the adoption of the Redevelopment Plan, except in conformance with the provisions of this Redevelopment Plan.

700.2 All new construction and/or rehabilitation of existing structures within the Project shall comply with all applicable state and local laws in effect from time to time, including without limitation, the Building, Electrical, Heating and Ventilating, Housing and Plumbing Codes of the City and the City Zoning Ordinance. In addition to applicable codes, ordinances or other requirements governing development in the Project Area, additional specific performance and development standards may be adopted by the Agency to control and direct redevelopment activities in the Project Area, including property rehabilitation standards adopted by the Agency.

700.3 Any existing structures within the Project Area which the Agency shall approve for retention and rehabilitation shall be repaired, altered, reconstructed or rehabilitated in such a manner that it will be safe and sound in all physical respects, and be attractive in appearance and not detrimental to the surrounding uses. Property rehabilitation standards for rehabilitation of existing buildings and site improvement may be established by the Agency.

700.4 The approximate amount of landscaped open space to be provided, exclusive of public rights-of-way, will not be less than 17.7 acres. The amount of open space in specific developments will be determined by the requirements of local codes and ordinances and may be reviewed and approved by approving officials and regulatory bodies to ensure optimum use of living plant and other landscape material.

700.5 - The approximate number of dwelling units to be located in the Project Area is 2,200.

700.6 Except as may be set forth in other Sections of this Redevelopment Plan, the height, type and size of buildings shall be limited by applicable state statutes, local codes and ordinances.

700.7 The number of buildings in the Project Area shall not exceed 1400.

700.8 All signs shall conform to City ordinances as they now exist or are hereafter amended. Design of all signing is subject to Agency and/or City review and approval prior to installation. New signs shall not contribute to signage blight currently existing within the Project Area.

700.9 The Agency is authorized to permit an existing use to remain in an existing building in good condition, which use does not conform to this Redevelopment Plan, provided that such use is generally compatible with the developments and uses in the Project Area. The owner of such a property must be willing to enter into a participation agreement and agree to the imposition of such

reasonable restrictions as are necessary to protect the development and use of the Project Area.

700.10 In all areas sufficient space shall be maintained between buildings to provide adequate light, air, noise buffers and privacy.

700.11 As feasible, adequate landscaping and screening shall be provided to create a buffer between those areas designated for residential use and those areas designated for commercial or industrial uses. Certain commercial or industrial activities and operations may be required to be conducted within an enclosed building. All outdoor storage of materials or equipment shall be enclosed or screened by walls, landscaping or other enclosure to the extent and in the manner required by the City and the Agency. In approving the method of enclosing or screening the outdoor storage of materials or equipment, the City and the Agency shall consider the visual impact of such method as viewed from nearby multi-storied buildings as well as from adjacent ground views.

700.12 The Agency shall require that all utilities be placed underground whenever physically and economically feasible, as determined by the Agency.

700.13 No use or structure, which by reason of appearance, traffic, smoke, glare, noise, odor or similar factors would be incompatible with the surrounding areas or structures, shall be permitted in any part of the Project Area. Within the Project Area, except with the approval of the Agency, there shall be no extraction of oil, gas or other mineral substances, nor any opening or penetration for any purpose connected therewith within 500 feet of the surface.

700.14 All street yards shall be landscaped and maintained by the owner. Any portion necessary for access shall be paved. The Agency may establish building wall and setback requirements of new developments within the Project Area for the purpose of encouraging pedestrian orientation.

700.15 After rehabilitation and development pursuant to the Redevelopment Plan, no parcel in the Project Area, including any parcel retained by a conforming owner or participant, shall be resubdivided without Agency approval.

700.16 The Executive Director of the Agency, or his designee, is authorized to permit a variation from the limits, restrictions and controls established by the Redevelopment Plan. In order to permit such variation, the Executive Director, or his designee, must determine that:

A. The application of certain provisions of the Redevelopment Plan would result in practical difficulties or

unnecessary hardships which would make development inconsistent with the general purposes and intent of the Redevelopment Plan; or

B. There are exceptional circumstances or conditions applicable to the property or to the intended development of the property which do not apply generally to the properties having the same standards, restrictions and controls; and

C. Permitting a variation will not be materially detrimental to the public welfare or injurious to property or improvements in the Project Area and contrary to the objectives of the Redevelopment Plan.

When such a variation is authorized, the Executive Director, or his designee, shall make an informational report to the Agency and Planning Commission and the Southeast Development Committee for the Southeast Community.

700.17 No variation shall be granted which changes a basic land use, intensity of development, or which permits other than a minor departure from the provisions of this Redevelopment Plan. In permitting any such variation, the Agency shall impose such conditions as are necessary to protect the public health, safety or welfare, and to assure compliance with the purposes of the Redevelopment Plan. Any variation permitted by the Agency hereunder shall not supersede any other approval required under City codes and ordinances.

700.18 There shall be no discrimination or segregation based upon race, sex, marital status, color, creed, religion, national origin or ancestry permitted in the sale, lease, sublease, transfer, use occupancy, tenure or enjoyment of property in the Project Area.

#### Section 710 Design for Development

710.1 Within the limits, restrictions and controls established in the Redevelopment Plan, the Agency is authorized to establish heights of buildings, land coverage, setback requirements, landscaping requirements, design criteria, traffic circulation, traffic access and other development and design controls necessary for proper development of both private and public areas within the Project Area.

710.2 No new improvement shall be constructed and no existing improvement shall be substantially modified, altered, repaired or rehabilitated except in accordance with this Redevelopment Plan and any such controls, and in the case of property which is the subject of a disposition and development or participation agreement with the Agency, in accordance with architectural, landscape and site plans submitted to and approved in writing by the Agency. One of the objectives of this Redevelopment Plan is to create an

attractive and pleasant environment in the Project Area. Therefore, such plans shall give consideration to good design, open space and other amenities to enhance the aesthetic quality of the Project Area. The Agency shall not approve any plans that do not comply with this Redevelopment Plan.

Section 720      Submission of Schematic Plans

720.1      Every public and private developer of land within the Project Area shall submit to the Agency complete schematic plans showing the proposed development and all important aspects relating to the Project Area and any significant considerations involving the surrounding area, especially vistas and sun, light and wind factors.

720.2      The Planning Commission shall review the schematic plans and make a recommendation to the Agency within thirty (30) days from receipt of said plans. The Agency will make a final decision of either approval, conditional approval or denial.

Section 730      Building Permits

730.1      No permits shall be issued for the construction, moving, conversion, alteration or addition to any new building or structure, or any existing building or structure in the Project Area from the date of adoption of this Redevelopment Plan until the application for such permit has been processed in the manner consistent with all Agency and City requirements. Any permit that is issued hereunder must be in conformance with the provisions and intent of this Redevelopment Plan.

730.2      The Agency is authorized to establish procedures and approvals in addition to those set forth above where required for the purposes of this Redevelopment Plan. Where such additional procedures and approvals are established, all Agency agreements or assistance for any redevelopment activity shall require compliance therewith.

730.3      Upon receipt of such an application for a permit, the City shall request the Agency to review the application to determine what effect, if any, the issuance thereof would have upon the Redevelopment Plan for the Project. Within forty-five (45) days thereafter, the Agency shall file with the City a written report setting forth its findings of fact, including but not limited to, the following:

A.      Whether the applicant has entered into an agreement with the Agency for the development of the improvements and has previously submitted architectural, landscape and site plans to the Agency; and

B. Whether the proposed improvements would be compatible with the standards and other requirements set forth in the Redevelopment Plan; and

C. Whether the modifications, if any, in the proposed improvements would be necessary in order to meet the requirements of the Redevelopment Plan.

730.4 After receipt of the report or after the forty-five- (45) day period, whichever occurs first, the City may allow the issuance of the permit with conditions, or shall withhold the issuance of the permit if it finds that the proposed improvements do not meet the requirements of the Redevelopment Plan. Within five (5) days after allowing or withholding issuance of the permit, the City shall notify by certified mail the applicant and the Agency of its decision.

730.5 No new improvement shall be constructed and no existing improvement shall be substantially modified, altered, repaired or rehabilitated except in accordance with architectural, landscape and site plans submitted to and approved in writing by the Agency.

ARTICLE VIII  
EMPLOYEES AND TRAINEES FROM THE COMMUNITY

Section 800     Enterprise Zone Job Referral Service

800.1 - Contractors and others engaged in construction and rehabilitation activities in the Project Area, excepting private owner-occupants, shall work with any Enterprise Zone Job Referral Service (or its successor) comprised as a result of the establishment of an Enterprise Zone so that, to the greatest extent possible, new jobs shall be filled by community residents.

800.2 Businesses located on newly developed, redeveloped or rehabilitated property subject to a disposition and development agreement or a participation agreement with the Agency shall work with any Enterprise Zone Job Referral Service (or its successor) comprised as a result of the establishment of an Enterprise Zone so that, to the greatest extent possible, new jobs shall be filled by community residents.

ARTICLE IX  
METHODS FOR FINANCING THE PROJECT

Section 900     General Description of the Proposed Financing Methods

900.1       The Agency is authorized to finance this Project with financial assistance from the City, State, Federal Government of the United States of America, property tax increments, special assessment districts, donations, interest income, Agency bonds, loans from private financial institutions, the lease of Agency-owned property, sale of Agency-owned property and/or any other available source, public or private.

900.2       The Agency is also authorized to obtain advances, borrow funds and create indebtedness in carrying out this Redevelopment Plan. The principal and interest on such advances, loans and indebtedness may be paid from tax increments or any other funds available to the Agency. Advances and loans for survey and planning and for operating capital for nominal administration of this Project may be provided by the City until adequate tax increment or other funds are available, or sufficiently assured, to repay the advances or loans and to permit borrowing adequate capital from sources other than the City. The City, as it is able, may also supply additional assistance through City loans and grants for various public facilities.

900.3       As available, gas tax funds from the State and County may be used for street improvements and public transit facilities. A portion of any public parking facilities in the Project Area may be installed through a parking authority or other public or private entities.

900.4       Revenues received by the Agency from the sale of land may be used to finance the development of the Project Area. Additional funding will come from the following: tax increment; revenue from the lease of Agency-owned lands and buildings; leaseback arrangements; gas tax and other special use taxes and other sources which are now or may become available to the Agency in the future.

900.5       Any other loans, grants or financial assistance from the United States or any other public or private sources will be utilized to the degree available.

Section 910     Tax Increment Funds

910.1       All taxes levied upon taxable property within the Project each year, by or for the benefit of the State of California, County of San Diego, City of San Diego, any district or other public corporation (hereinafter sometime called "taxing agencies") after

the effective date of the ordinance approving this Redevelopment Plan shall be divided as follows:

A. That portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of the taxing agencies upon the total sum of the assessed value of the taxable property in the Project as shown upon the assessment roll used in connection with the taxation of that property by the taxing agency, last equalized prior to the effective date of the ordinance, shall be allocated to and when collected shall be paid to the respective taxing agencies as taxes by or for the taxing agencies on all other property are paid (for the purpose of allocating taxes levied by or for any taxing agency or agencies which did not include the territory in the Project on the effective date of the ordinance but to which that territory has been annexed or otherwise included after that effective date, the assessment roll of the County last equalized on the effective date of the ordinance shall be used in determining the assessed valuation of the taxable property in the Project on the effective date); and

B. Except as provided below in paragraph C, that portion of the levied taxes each year in excess of that amount shall be allocated to and when collected shall be paid into a special fund of the Agency to pay the principal of and interest on loans, moneys advanced to, or indebtedness (whether funded, refunded, assumed, or otherwise) incurred by the Agency to finance or refinance, in whole or in part, the Project. Unless and until the total assessed valuation of the taxable property in the Project exceeds the total assessed value of the taxable property in the Project as shown by the last equalized assessment roll referred to in paragraph A hereof, all of the taxes levied and collected upon the taxable property in the Project shall be paid to the respective taxing agencies. When the loans, advances and indebtedness, if any, and interest thereon, have been paid, all moneys thereafter received from taxes upon the taxable property in such Project shall be paid to the respective taxing agencies as taxes on all other property are paid.

C. That portion of the taxes in excess of the amount identified above in paragraph A which are attributable to a tax rate levied by a taxing agency for the purpose of producing revenues in an amount sufficient to make annual repayments of the principal of, and the interest on, any bonded indebtedness for the acquisition or improvement of real property shall be allocated to, and when collected shall be paid into, the fund of that taxing agency. This paragraph shall only apply to taxes levied to repay bonded indebtedness approved by the voters of the taxing agency on or after January 1, 1989.

D. The portion of taxes mentioned above in paragraph B, above are hereby irrevocably pledged for the payment of the principal of and interest on the advance of monies, or making of

loans, or the incurring of any indebtedness (whether funded, refunded, assumed or otherwise) by the Agency to finance or refinance the Project in whole or in part.

910.2 The Agency is authorized to make pledges of tax increment for specific advances, loans and indebtedness as appropriate in carrying out the Project.

910.3 The total number of dollars of taxes which may be divided and allocated to the Agency for the Project pursuant to Section 910.1 shall not exceed One Hundred Forty-Two Million Dollars (\$142,000,000), except by amendment to this Redevelopment Plan.

Section 920. Bonds, Advances and Indebtedness

920.1 The Agency is authorized to issue bonds if appropriate and feasible in an amount sufficient to finance all or any part of the Project.

920.2 The Agency is authorized to obtain advances, borrow funds and create indebtedness in carrying out this Redevelopment Plan. The principal and interest on such advances, funds and indebtedness may be paid from tax increments or any other funds available to the Agency.

920.3 Neither the members of the Agency nor any persons executing the bonds are liable personally on the bonds by reason of their issuance.

920.4 - The bonds and other obligations of the Agency are not a debt of the City or the State, nor shall any of its political subdivisions be liable for them, nor in any event shall the bonds or obligations be payable out of any funds or properties other than those of the Agency; and such bonds and other obligations shall so state on their face. The bonds do not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction.

920.5 No loan, advance or other indebtedness to finance, in whole or in part, the Project and to be repaid from the division and allocation of taxes to the Agency pursuant to Section 910.1 shall be established or incurred by the Agency after June 30, 2026, except by amendment of this Redevelopment Plan. No loan, advance or other indebtedness to finance, in whole or in part, the Project and which is to be repaid from the division and allocation of taxes to the Agency pursuant to Section 910.1 shall be repaid beyond June 30, 2046, except by amendment of this Redevelopment Plan.

920.6 The amount of bonded indebtedness of the Agency to be repaid from the division and allocation of taxes to the Agency pursuant to Section 910.1, which may be outstanding at any one time, shall not exceed Forty-Six Million Two Hundred Thousand

Dollars (\$46,200,000), except by amendment of this Redevelopment Plan.

ARTICLE X  
ACTION BY THE CITY

Section 1000 Action by the City

1000.1 The City shall aid and cooperate with the Agency in carrying out this Redevelopment Plan and shall take all actions necessary to ensure the continued fulfillment of the purposes of this Redevelopment Plan and to prevent the recurrence or spread in the area of conditions causing blight. Action by the City shall include, but not be limited to, the following:

A. Institution and completion of proceedings for opening, closing, vacating, widening or changing the grades of streets, alleys and other public rights-of-way, and for other necessary modifications of the streets, the street layout and other public rights-of-way in the Project. Such action by the City shall include causing the abandonment and relocation by public utility companies of their operations in the public rights-of-way as appropriate to carry out this Redevelopment Plan and as required by law.

B. Institution and completion of proceedings necessary for changes and improvements in private and public-owned public utilities within or affecting the Project.

C. Amendment to the Community Plan, Planned District Ordinance, and revision of the Zoning Ordinance within the Project Area to permit land uses and development authorized by this Redevelopment Plan.

D. Imposition where necessary (by conditional use permits, covenants or restrictions, or other means) of appropriate controls within the limits of this Redevelopment Plan upon land parcels whether utilized for residential, commercial or industrial use in the Project Area to ensure their proper development and use.

E. Provision for administrative enforcement of this Redevelopment Plan by the City after development. The City and the Agency shall develop and provide for enforcement of a program for continued maintenance by owners of all real property, both public and private, within the Project Area throughout the duration of the Redevelopment Plan.

F. Encourage the provision of a variety of housing types, both in terms of income and construction.

G. Performance of the above, and of all other functions and services relating to public health, safety and physical development normally rendered and which will permit the redevelopment of the Project Area to be commenced and carried to completion without unnecessary delays.

H. Provision of services and facilities and the various officials, offices and departments of the City for the Agency's purposes under this Redevelopment Plan.

I. Provision of financial assistance in accordance with the provisions set forth in this Redevelopment Plan under the sections discussing the method of financing the Project Area.

J. The undertaking and completing of any other proceedings necessary to carry out the Project.

ARTICLE XI  
ADMINISTRATION AND ENFORCEMENT OF THE PLAN

Section 1100 Administration and Enforcement of the Plan

1100.1 The administration and enforcement of this Redevelopment Plan, or other documents formulated pursuant to this Redevelopment Plan shall be performed by the Agency and/or the City.

1100.2 The provisions of this Redevelopment Plan or other documents formulated pursuant to this Redevelopment Plan may also be enforced by legal action instituted by either the Agency or the City. Such remedies may include, but are not limited to, specific performance, damages, reentry, injunctions or any other remedies appropriate to the purposes of this Redevelopment Plan. In addition, any recorded provisions which are expressly for the benefit of owners of property in the Project Area may be enforced by such owners.

ARTICLE XII  
LENGTH OF THIS PLAN

Section 1200 Length of This Plan

1200.1 Except for the nondiscrimination and nonsegregation provisions which shall run in perpetuity, the provisions of this Redevelopment Plan shall be effective and the provisions of other documents formulated pursuant to this Redevelopment Plan may be made effective for the period ending on June 30, 2026; except that provisions in documents providing for the payment of loans, advances or other indebtedness may be made effective for any longer

time needed for the purpose of repaying in full such loans, advances or other indebtedness, but not beyond June 30, 2046 for loans, advances or other indebtedness to be repaid from the division and allocation of taxes to the Agency pursuant to Section 910.1.

1200.2 The Agency shall, in accordance with the Redevelopment Law, conduct a biennial public hearing to evaluate the progress of the Redevelopment Plan for the Project Area and hear the testimony of all interested parties.

ARTICLE XIII  
PROCEDURE FOR AMENDMENT

Section 1300 Procedure for Amendment

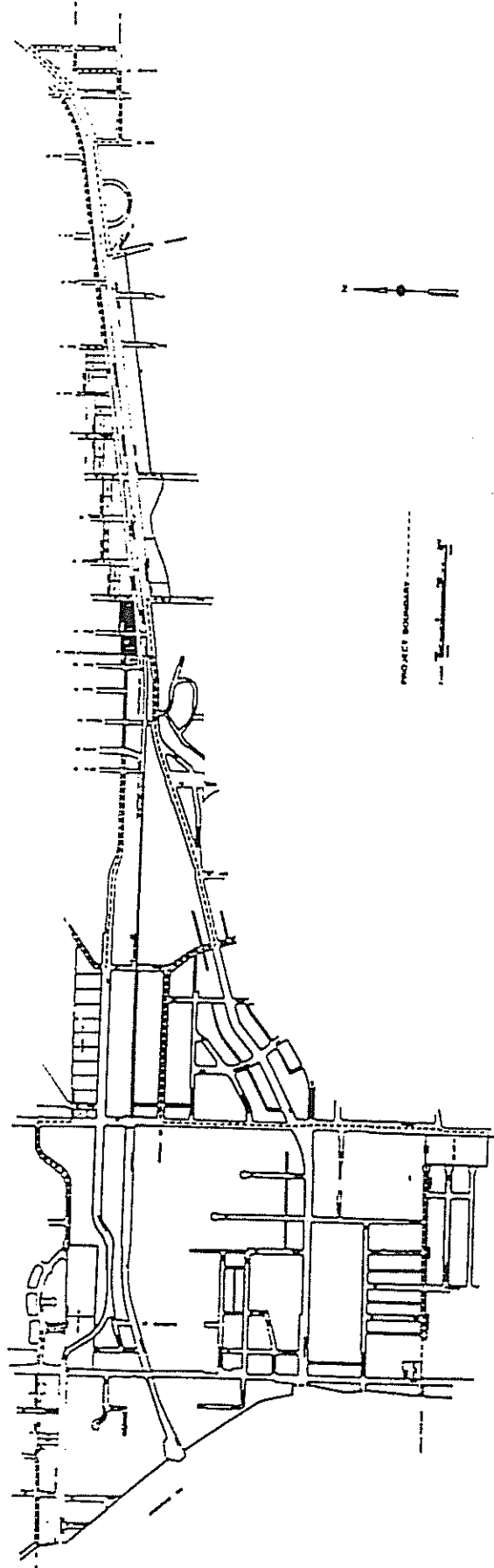
1300.1 This Redevelopment Plan may be amended by means of the procedure established in the Redevelopment Law or by any other procedure hereinafter established by law.

Exhibit I

MAP OF PROJECT AREA BOUNDARY

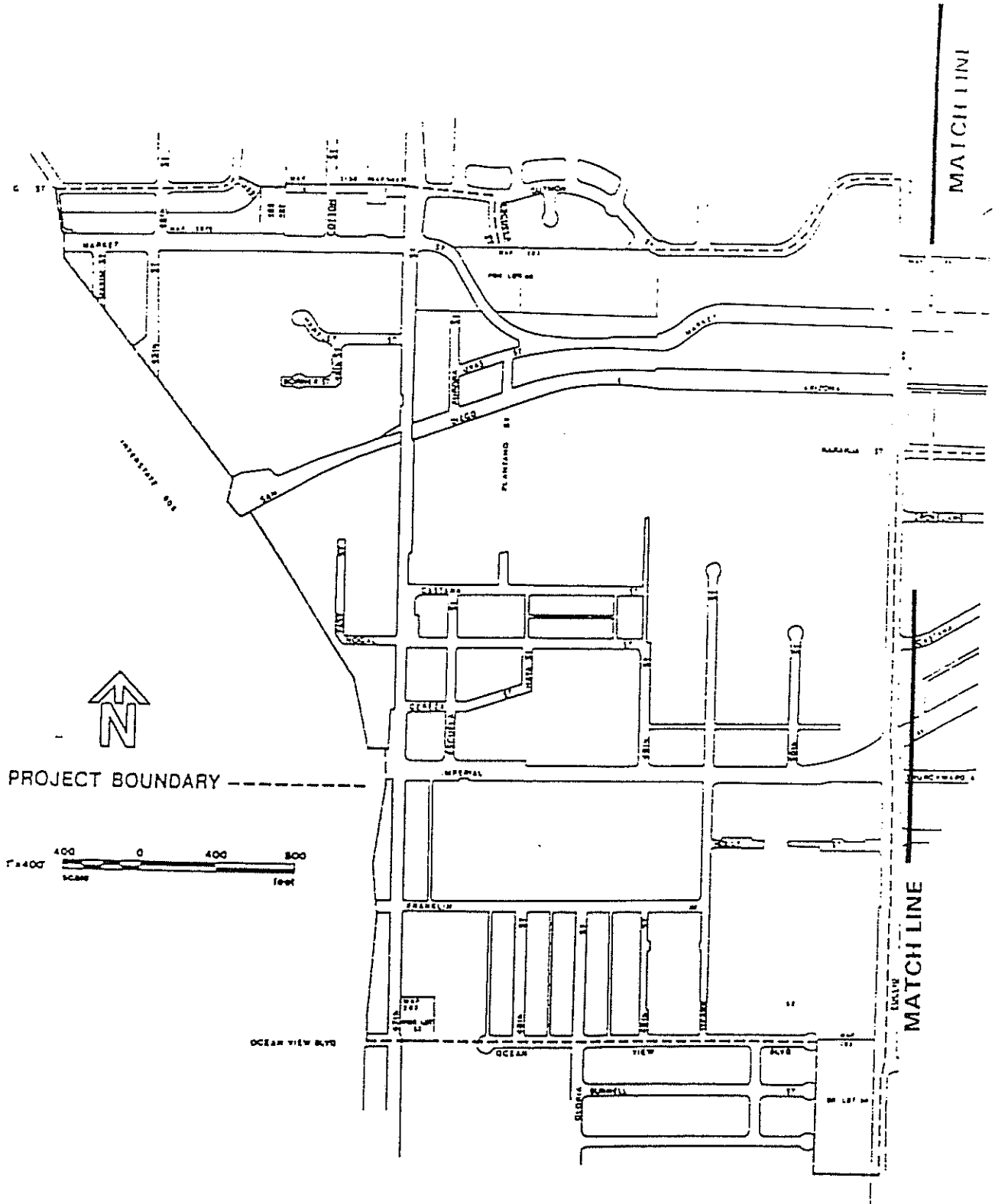
MAP OF PROJECT AREA BOUNDARY

PROJECT AREA BOUNDARY





# PROJECT AREA BOUNDARY - DETAIL



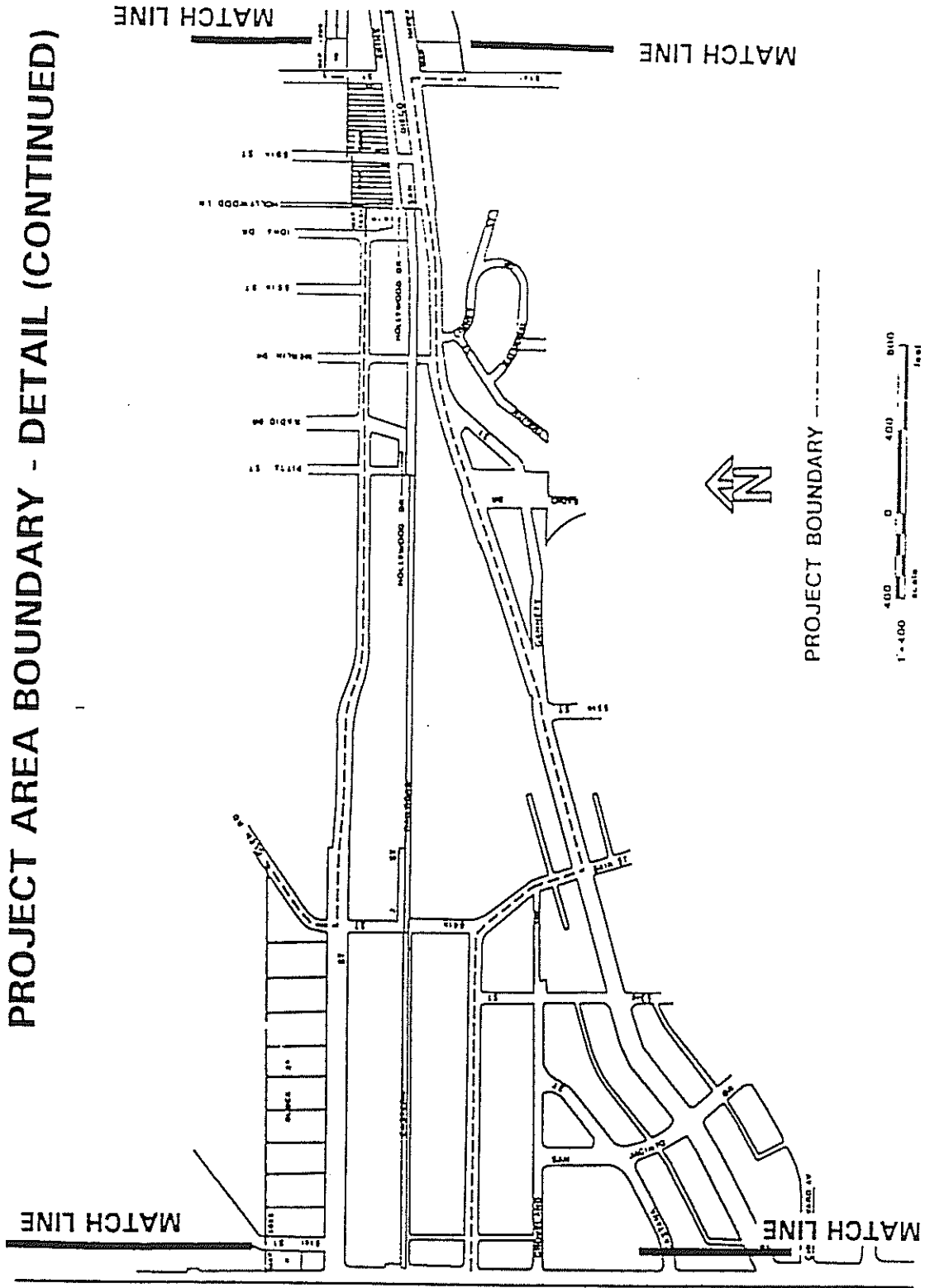
Source: Butler Roach Group, September 1991.

## CENTRAL IMPERIAL REDEVELOPMENT PROJECT

Exhibit I



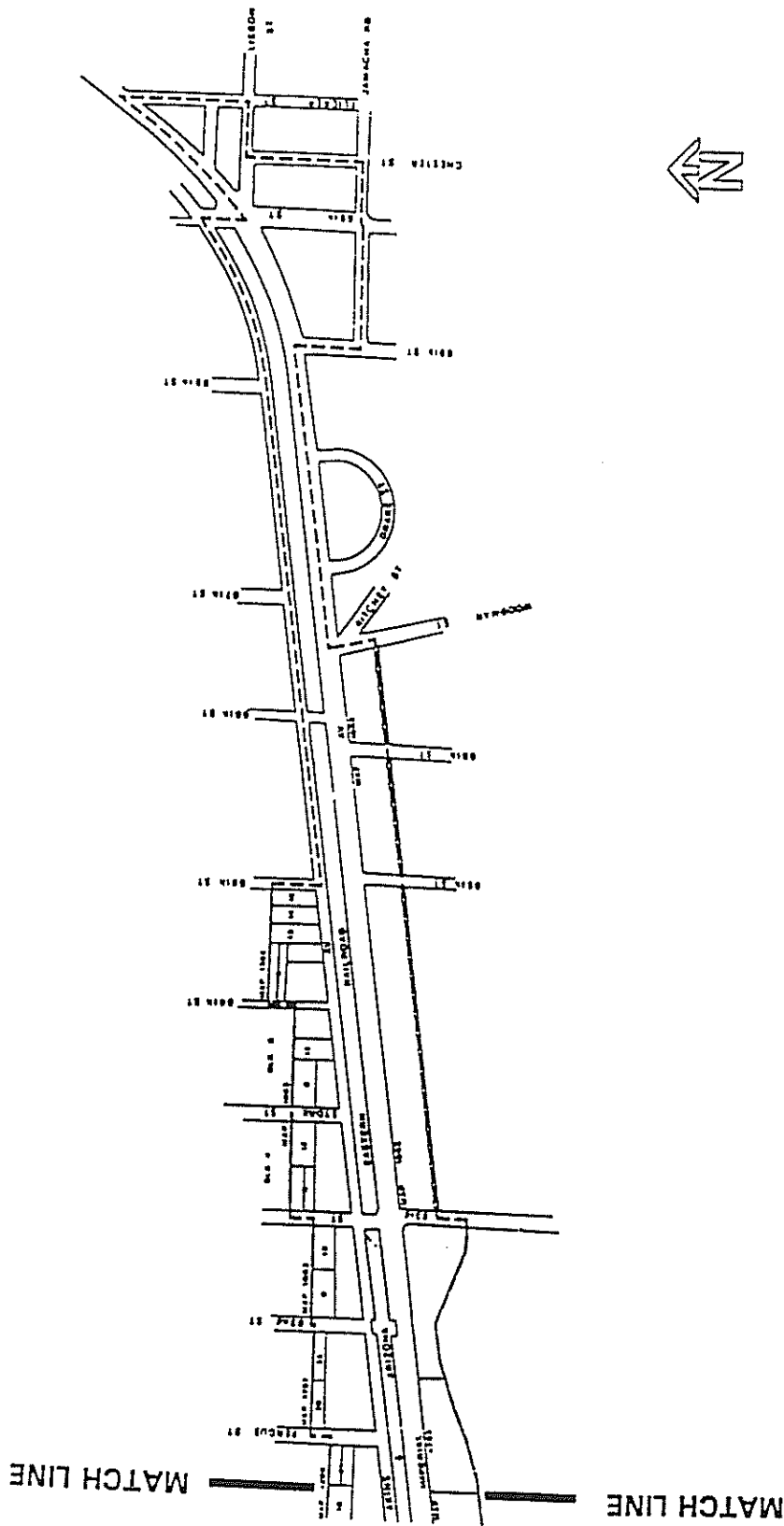
PROJECT AREA BOUNDARY - DETAIL (CONTINUED)



Source: Butler Roach Group, September 1991.



**PROJECT AREA BOUNDARY - DETAIL (CONTINUED)**



PROJECT BOUNDARY





Exhibit II

LAND USE MAP







Exhibit III

DESCRIPTION OF PUBLICLY-OWNED FACILITIES

I. Street Improvements

1. Construction and reconstruction of streets, sidewalks, curbs and gutters throughout the Project Area.
2. Construction and reconstruction of alleys throughout the Project Area.
3. Widen Forty-Seventh Street from Market Street to Imperial Avenue.
4. Widen Market Street from Euclid Avenue to Radio Drive.
5. Improvement and construction of Valencia Parkway from Imperial Avenue to Market Street, including installation of traffic signals and floodway crossing.

II. Streetscape Improvements

1. Imperial Avenue from Sixty-First Street to Sixty-Ninth Street.
2. Market Street from Interstate 805 to Forty-Seventh Street.
3. Intersection of Market Street and Forty-Seventh Street.

III. Flood Control Improvements

1. Construct floodway improvements in the vicinity of Market Street and Euclid Avenue.
2. Construct Southwest Euclid Avenue and Metropolitan Transit District Board (MTDB) trolley line.
3. Construction of floodway crossing and other flood control improvements to Potter's Tract -- the area generally located between Fifty-Fourth Street, Pitta Street, Imperial Avenue and the MTDB trolley line.

IV. Sewer and Water System Improvements

1. Install and upgrade water lines throughout the Project Area.
2. Install and upgrade sewer line throughout the Project Area.