

RECORDING REQUESTED BY Ellen Bovara
AND MAIL TO: City Clerk, Mail Station 12A 154

1614

(O-84-166)

ORDINANCE NUMBER O-16172 (New Series)

Adopted on FEB 27 1984

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AMENDING ORDINANCE NO. 11950 APPROVING AND ADOPTING THE FIRST AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE DELLS REDEVELOPMENT PROJECT.

WHEREAS, the Council of The City of San Diego adopted Ordinance No. 11950 on November 17, 1976, approving and adopting the Redevelopment Plan for the Dells Redevelopment Project; and

WHEREAS, it is desirable and in the public interest that the Redevelopment Agency of The City of San Diego (the "Agency") continue to carry out the Redevelopment Project (the "Project") identified as the Dells Redevelopment Project; and

WHEREAS, it has become necessary and desirable to amend or modify the Redevelopment Plan to extend the time within which the Agency may institute eminent domain proceedings to carry out the Redevelopment Plan; and

WHEREAS, there has been prepared and referred to the Council of The City of San Diego (the "Council") for review and approval, the proposed First Amendment to the Redevelopment Plan for the Dells Redevelopment Project, a copy of which is on file in the office of the City Clerk as Document No. 00-16172-1, consisting of three pages, supported by certain supplementary material, data and recommendations not a part of the Redevelopment Plan, but contained in the Report to Council on the proposed First Amendment to the Redevelopment Plan for the Dells Redevelopment Project; and

WHEREAS, rules for owner participation within the Project, a copy of which rules is on file in the office of the Secretary to the Agency as Document No. 386, has previously been adopted; and

WHEREAS, a General Plan and a Community Plan have been prepared and are recognized and used as a guide for the general development of the locality as a whole; and

WHEREAS, the Agency has consulted with, and obtained the advice of, residents, businesses and community organizations with respect to the proposed First Amendment to the Redevelopment Plan; and

WHEREAS, the Planning Commission of The City of San Diego previously approved a preliminary plan for the Project. The Planning Commission previously submitted to the Council its report and recommendations respecting the original adoption of the Redevelopment Plan for the Project and found that the Redevelopment Plan conforms to the General Plan and Community Plan for the locality as a whole; and

WHEREAS, the Agency has previously adopted a plan and program for the relocation of individuals and families that may be displaced as a result of carrying out the Project in accordance with the Redevelopment Plan; and

WHEREAS, there have also been presented to the Council information and data respecting the relocation program which has been prepared by Agency as a result of studies, surveys and inspections in the area comprising the program and the assembling and analysis of the data and information obtained from such studies, surveys and inspections; and

WHEREAS, the members of the Council have general knowledge of the conditions prevailing in the redevelopment area and of the availability of proper housing in the locality for the relocation of individuals and families that may be displaced by Project and, in light of such knowledge of local housing conditions, have carefully considered and reviewed such proposals for relocation; and

WHEREAS, the Council of The City of San Diego, also serves as the governing body of the Agency; and

WHEREAS, the Council and the Agency set the time and place for a joint public hearing on the proposed First Amendment to the Redevelopment Plan for the Project area as February 14, 1984, at 10:30 a.m., in the Council Chambers of the City Administration Building and caused to be published a notice of such hearing in the "San Diego Daily Transcript," a newspaper of general circulation in the County of San Diego and City of San Diego once each week for four successive weeks prior to the date of said hearing, a copy of said notice and an affidavit of publication of the same are on file with the City Clerk and the Agency; and

WHEREAS, copies of the notice of said public hearing were mailed by certified mail and return receipt requested to the last known address of each assessee as shown on the last equalized assessment roll of the County of San Diego of each parcel of land in the project area and to each taxing agency which levies taxes upon any property in the Project area; and

WHEREAS, each assessee whose property would be subject to

acquisition by purchase or condemnation under the Redevelopment Plan was sent a statement to that effect attached to his notice of the public hearing; and

WHEREAS, said public hearing was duly held at the time and place fixed therefore in said notice; and

WHEREAS, the Council has considered all aspects of said proposed First Amendment to the Redevelopment Plan and the feasibility of relocation, considered all written communications concerning said amendment and provided an opportunity for all persons and organizations to be heard, and received and considered all evidence and testimony presented for or against all aspects of the proposed First Amendment to the Redevelopment Plan; and

WHEREAS, all actions required by law have been taken by all appropriate public agencies; NOW, THEREFORE,

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That the purpose and intent of the Council with respect to the Project area is to:

1. Improve and establish the Dells Redevelopment Project as one of several industrial areas within the southeast community where labor intensive types of industries can be located.

2. Provide sites for new and relocated industries that will provide jobs for Southeast San Diego residents.

3. Maximize the multiplier effect that economic

growth, new jobs, and the improved environmental aspects of this Project will have on the entire southeast community.

4. Strengthen an existing industrial area by implementing performance standards that assure desired site design and environmental quality.

5. Promote local entrepreneurship by providing incentives for industrial/commercial development by local residents.

6. Eliminate blighting influences such as incompatible land uses, obsolete and substandard structures, and under-utilized land.

7. Insure, as far as possible, that the causes of blighted conditions will be either eliminated or protected against.

8. Provide participation for owners and a reasonable preference for persons engaged in business in the area added to the project.

9. Encourage the rehabilitation, rebuilding, and development of the area added to the Project.

10. Relocate the owners and occupants of the area added to the Project as needed.

11. Provide for the orderly development of the southeast community in accordance with the Progress Guide and General Plan and more specifically with the Southeast Community Plan for The City of San Diego.

Section 2. The Council hereby determines that the First Amendment to the Redevelopment Plan for the Dells Redevelopment

Project is necessary and desirable.

Section 3. All written and oral objections to the First Amendment to the Redevelopment Plan for the Dells Redevelopment Project are hereby overruled.

Section 4. The First Amendment to the Redevelopment Plan for the Dells Redevelopment Project, having been duly reviewed and considered, is hereby approved and adopted, and as approved and adopted is incorporated herein by reference and made a part hereof as if fully set out herein.

Section 5. The Redevelopment Plan for the Dells Redevelopment Project, as hereby amended, is hereby designated the official redevelopment plan for the Dells Redevelopment Project.

Section 6. The Council hereby finds and determines that:

1. The Project area was and still is a blighted area, the redevelopment of which is necessary to effectuate the public purposes declared in the Community Redevelopment Law of the State of California, to wit:

a. Much of the property in the area is vacant, blighted, and deteriorated.

b. The area is characterized by economic dislocation, deterioration, and disuse resulting in depreciated land values, impaired investments, and social and economic maladjustment, all contributing to the reduced capacity to pay taxes.

c. The growing or total lack of proper

utilization of the area has resulted in a stagnant and unproductive condition of land potentially useful and valuable for contributing to the public health, safety, and welfare.

2. The Redevelopment Plan for the Dells Redevelopment Project, as hereby amended, will redevelop the Project area in conformity with the Community Redevelopment Law of the State of California and in the interest of public peace, health, safety and welfare.

3. The adoption and carrying out of the Redevelopment Plan for the Project, as hereby amended, is economically sound and feasible.

4. The Redevelopment Plan for the Project, as hereby amended, conforms to the General Plan of The City of San Diego and the Southeast San Diego Community Plan.

5. The carrying out of the Redevelopment Plan for the Project, as hereby amended, will promote the public peace, health, safety and welfare of the City of San Diego and will effectuate the purposes and policies of the Community Redevelopment Law of the State of California.

6. There are families and persons to be displaced from housing facilities in the Project, and when any such families and persons are displaced by redevelopment activities:

a. The Agency has feasible method and plan

for the relocation of families and persons to be temporarily or permanently displaced from housing facilities in the area.

b. There will be provided in the entire Project area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and persons displaced from the Project, decent, safe, and sanitary dwellings equal in number to the number of and available to such displaced families and persons and reasonably accessible to their places of employment.

7. The condemnation of real property, as provided for in the Redevelopment Plan for the Project, as hereby amended, is necessary to the execution of the Redevelopment Plan, and adequate provisions have been made for payment for property to be acquired as provided by law.

8. Inclusion within the Project area of any lands, buildings, or improvements which are not detrimental to the public health, safety, or welfare is necessary for the effective redevelopment of the area of which they are a part; any such area included is necessary for effective redevelopment and is not included for the purpose of obtaining the allocation of tax increment revenues from such area pursuant to

Section 33670 of the Community Redevelopment Law without other substantial justification for its inclusion.

9. The elimination of blight and the redevelopment of the Project area could not be reasonably expected to be accomplished by private enterprise acting alone without the aid and assistance of the Agency.

Section 7. In the event any occupants are displaced from housing facilities in the Project, the Council is satisfied that permanent housing facilities will be available within three years from the time occupants of the area are displaced, and that, pending the development of such facilities, there will be available to such displaced occupants adequate temporary housing facilities at rents comparable to those in the City of San Diego at the time of their displacement.

Section 8. The Council is convinced that the effect of tax increment financing will not cause a severe financial burden or detriment on any taxing agency deriving revenues from the Project area.

Section 9. That, in order to implement and facilitate the effectuation of the Redevelopment Plan, as hereby amended, it may be necessary for the Council to take action with reference, among other things to the vacating and removal of streets, alleys and other public ways, the establishment of street patterns, the location and relocation of sewer and water mains and other public facilities, and other public action and, accordingly, this body hereby (a) pledges its cooperation in

helping to carry out the Redevelopment Plan, including the expenditure of money in accordance with the provisions of the plan to effectuate the plan; (b) requests the various officials, departments, boards and agencies in the locality having administrative responsibilities in the premises likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with the Redevelopment Plan; and (c) stands ready to consider and take appropriate action upon proposals and measures designed to effectuate the Redevelopment Plan, and hereby declares its intention to undertake and complete any proceedings necessary to be carried out by the community under the provisions of the plan.

Section 10. The City Clerk is hereby directed to send a certified copy of this ordinance to the Agency and the Agency is hereby vested with the responsibility for carrying out the Redevelopment Plan for the Dells Redevelopment Project, as hereby amended.

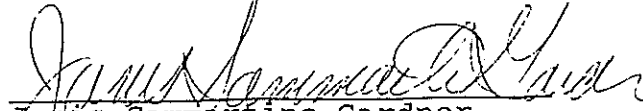
Section 11. The City Clerk is hereby directed to effectuate recordation with the County Recorder of San Diego County in compliance with the provisions of Section 33456 of the Community Redevelopment Law and Section 27295 of the Government Code, to the extent applicable.

Section 12. The City Clerk shall certify to the adoption of this ordinance and shall cause the same to be published once in a newspaper of general circulation in the City of San Diego.

Section 13. The effective date of this ordinance shall be ninety (90) days from and after its adoption.

APPROVED: John W. Witt, City Attorney

By


Janis Sammartino Gardner,
Deputy City Attorney

JSG:ta:756
1/30/84
Or.Dept:SEDC
O-84-166
Form=o.none

FEB 27 1984

Passed and adopted by the Council of The City of San Diego on _____
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK
Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

(Seal)

By Ellen Board, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

FEB 14 1984

FEB 27 1984

_____, and on _____

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

I HEREBY CERTIFY that the above and foregoing is a (Seal), true and correct

By Ellen Board, Deputy.

copy of ORDINANCE NO. 0-16172
(NEW SERIES) of The City of San Diego,
California, passed and adopted by the
Council of said City FEB 27 1984

CHARLES G. ABDELNOUR, City Clerk

By Ellen Board
Deputy,

Office of the City Clerk, San Diego, California

Ordinance Number 0-16172 Adopted FEB 27 1984

REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO
SAN DIEGO, CALIFORNIA

PROPOSED FIRST AMENDMENT
TO THE REDEVELOPMENT PLAN FOR
THE DELLS REDEVELOPMENT PROJECT

PREFACE

The Redevelopment Plan for the Dells Redevelopment Project was adopted by the City Council of the City of San Diego on November 17, 1976 by Ordinance No. 11950.

Section 1000 of the adopted Redevelopment Plan provides the procedure for amending the Plan pursuant to the California Community Redevelopment Law.

Contained herein is the proposed change to the adopted Plan as the First Amendment to the Redevelopment Plan for the Dells Redevelopment Project.

PURPOSE OF AMENDMENT

Section 410.9 of the Redevelopment Plan for the Dells Redevelopment Project provides as follows:

"The time limit for commencing eminent domain proceedings for the Project is six years."

In order to continue to carry out the Plan, it is necessary and appropriate to extend the time within which the Agency may commence eminent domain proceedings, since the original six (6) year period has expired. The proposed First Amendment to the Plan would extend the time for commencing eminent domain proceedings to twelve (12) years from adoption of the First Amendment.

In all other respects the Dells Redevelopment Plan and Ordinance No. 11950 approving the Dells Redevelopment Project remain unchanged.

AMENDMENT NO. 1

The Redevelopment Plan is hereby amended by striking therefrom Section 410.9 of Section 410, Acquisition of Property, and substituting in lieu thereof the following:

410.9. No eminent domain proceeding to acquire property within the Project area shall be commenced after twelve (12) years following the date of adoption of the ordinance approving and adopting the First Amendment to the Redevelopment Plan. Such time limitation may be extended only by amendment of this Redevelopment Plan.