

CITY COUNCIL OF THE CITY OF SAN DIEGO

ORDINANCE NO. 11850

JUN 2 1976

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIEGO APPROVING AND ADOPTING AMENDMENTS TO THE LAND USE CONTROL PROVISIONS OF THE REDEVELOPMENT PLAN FOR THE LINDA VISTA SHOPPING CENTER REDEVELOPMENT PROJECT

WHEREAS, the City Council on November 21, 1972 by Ordinance No. 10954 (New Series) approved and adopted the Redevelopment Plan (the "Redevelopment Plan") for the Linda Vista Shopping Center Redevelopment Project (the "Project"); and

WHEREAS, the Redevelopment Agency of the City of San Diego (the "Agency") has prepared proposed amendments to the land use control provisions of the Redevelopment Plan for the Project; and

WHEREAS, the Planning Commission of the City of San Diego has submitted its report and recommendations to the City Council, which report finds that said proposed amendments to the Redevelopment Plan are in conformity to the General Plan and the Kearny Vista Community of the City of San Diego and which recommends that the City Council approve and adopt said proposed amendments; and

WHEREAS, the Agency submitted to the City Council said proposed amendments to the Redevelopment Plan, accompanied by the Report of the Agency on said proposed amendments; and

WHEREAS, after due notice, a joint public hearing was held by the Agency and the City Council to consider said proposed amendments; and

WHEREAS, at said joint public hearing, the City Council heard and passed upon all oral and written objections by overruling such objections; and

WHEREAS, the Agency has certified to the preparation and completion of a Negative Declaration on the Project; and

WHEREAS, a Draft First Amendment to said Negative Declaration has been prepared by the Agency staff and the City's Environmental Quality Division on the proposed amendments to the land use control provisions of the Redevelopment Plan for the Project; and

MICROFILMED

MAY 10 1978

01653

MAY 3 1978

WHEREAS, said Draft First Amendment to said Negative Declaration has been duly reviewed, and any comments which may have been received thereon have been duly evaluated and responded to, all in accordance with and within the time and in the manner set forth in the procedures adopted therefor by the Agency; and

WHEREAS, said document (together with said comments and responses) has been duly designated as the Final First Amendment to the Negative Declaration on the Project and on the proposed amendments to the land use control provisions of the Redevelopment Plan for the Project; and

WHEREAS, the Agency certified to the preparation and completion of the Final First Amendment to said Negative Declaration as being in conformity with the California Environmental Quality Act of 1970, the Regulations thereto, and the procedures adopted therefor by the Agency; and

WHEREAS, all action required by law has 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. The purposes and intent of the City Council with respect to the Project area are, and shall continue to be, to:

- (1) Eliminate the conditions of blight existing in the Project area;
- (2) Insure, as far as possible, that the causes of blighting conditions in the Project area will be either eliminated or protected against;
- (3) Provide participation for owners and tenants and a reasonable preference for persons engaged in business in the Project area;
- (4) Encourage the rehabilitation, rebuilding, and development of the Project area;
- (5) Encourage and foster the economic revitalization of the Project area;
- (6) Relocate the owners and occupants from properties within the Project area as needed;
- (7) Redevelop and rebuild the public facilities in the Project area to provide safer and more efficient service for the people in the area and the general public as a whole.

MICROFILMED

-2-

MAY 10 1978

11850

MAY 3 1978

(1) 654

SECTION 2. The amendments to the land use control provisions of the Redevelopment Plan for the Linda Vista Shopping Center Redevelopment Project (copies of which amendments are on file in the office of the City Clerk as Document No. 755458) are hereby incorporated herein by reference and made a part hereof as if fully set out at length herein.

SECTION 3. It is hereby found and determined by the City Council that the amendments to the land use control provisions of the Redevelopment Plan for the Project, as prepared by the Agency and as reported and recommended on by the Planning Commission, are necessary and desirable for the redevelopment of the Project area in accordance with the purposes and intent of the City Council with respect to the Project area.

SECTION 4. The City Council hereby certifies that it has reviewed and considered the information contained in the Final First Amendment to the Negative Declaration on the Project and on the amendments to the land use control provisions of the Redevelopment Plan for the Project, concurrent with its action on said amendments as provided in this Ordinance; hereby finds that redevelopment activities conducted pursuant to the Redevelopment Plan (as originally approved and adopted and as proposed to be amended pursuant to said amendments) will not have a significant effect nor a substantial adverse impact on the environment; and hereby approves and adopts said Final First Amendment to said Negative Declaration as the report of the City Council.

SECTION 5. The amendments to the land use control provisions of the Redevelopment Plan for the Project are hereby approved and adopted; the Redevelopment Plan is hereby amended as set forth in said amendments (and those portions of the Redevelopment Plan not affected by said amendments shall remain and continue in full force and effect); and the Redevelopment Plan (as hereby amended) is hereby designated the official redevelopment plan for the Linda Vista Shopping Center Redevelopment Project.

SECTION 6. The City Council hereby finds and determines that:

- (1) Upon the record of the joint public hearing on said amendments to the Redevelopment Plan, the Report of the Agency thereon (copies of which are on file in the office of the City Clerk as Document No. 755458) and which is hereby incorporated herein by reference and made a part hereof as if fully set out at length herein) and supporting data thereto, and testimony received at said joint public hearing, the Project area is, and continues to be, 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.

MICROFILMED

-3-

MAY 10 1978

11850

01655

MAY 3 1978

- (2) The Redevelopment Plan (as originally approved and adopted and as hereby amended) will redevelop the Project area in conformity with the Community Redevelopment Law of the State of California and in the interests of the public peace, health, and safety and welfare;
- (3) The carrying out of the Redevelopment Plan (as originally approved and adopted and as hereby amended) is economically sound and feasible;
- (4) The amendments to the land use control provisions of the Redevelopment Plan and the Redevelopment Plan (as hereby amended) conform to the General Plan and the Kearny Vista Community Plan of the City of San Diego;
- (5) The carrying out of the Redevelopment Plan (as originally approved and adopted and 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) The condemnation of real property, as provided for in the Redevelopment Plan (as originally approved and adopted and as unaffected by said amendments hereby approved and adopted by the City Council), is necessary to the execution of the Redevelopment Plan (as originally approved and adopted and as hereby amended) and adequate provisions have been made for payment for property to be acquired as provided by law;
- (7) There are no families and persons presently residing in housing facilities in the Project area. However, in the event that any families and persons reside in the Project area in the future and are subsequently 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 Project area;
 - (b) There will be provided in the Project area or in the 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 area, 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;

MICROFILMED

- (8) The Redevelopment Plan (as originally approved and adopted and as hereby amended) will afford a maximum opportunity consistent with the sound needs of the locality as a whole for the redevelopment of the Project by private enterprise;
- (9) In order to implement and facilitate the effectuation of the Redevelopment Plan (as originally approved and adopted and as hereby amended), it is found and determined that certain official action must be taken (and must continue to be taken) by the City Council with reference, among other things, to changes in zoning, the vacating and removal of streets, and other public ways, the location and relocation of sewer and water mains and other public facilities, and other public action, and accordingly the City Council hereby:
 - (a) Pledges its continued cooperation in helping to carry out the Redevelopment Plan (as originally approved and adopted and as hereby amended); and
 - (b) Requests the various officials, departments, boards and agencies of the City of San Diego having administrative responsibilities in the Project area likewise to continue their cooperation to such end and to continue the exercise of their respective functions and powers in a manner consistent with the Redevelopment Plan (as originally approved and adopted and as hereby amended); and
 - (c) Stands ready to take appropriate action upon proposals and measures designed to effectuate the Redevelopment Plan (as originally approved and adopted and as hereby amended).

SECTION 7. In the event that in the future any occupants reside in the Project area and are subsequently displaced from housing facilities in this area, the City 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. All written and oral objections to said amendments to the land use control provisions of the Redevelopment Plan for the Project are hereby overruled.

MICROFILMED

-5-

01657

11850

MAY 10 1978


MAY 3 1978

SECTION 9. The City Clerk hereby is directed to cause the incorporation of said amendments hereby approved and adopted, into the Redevelopment Plan. The City Clerk hereby is further directed to send a certified copy of this Ordinance and a copy of the Redevelopment Plan (as hereby amended) to the Agency. The Agency hereby is vested with the responsibility for carrying out the Redevelopment Plan (as hereby amended) for the Linda Vista Shopping Center Redevelopment Project.

SECTION 10. The Agency hereby is directed to effectuate recordation of documents pertaining to the approval and adoption of said amendments to the Redevelopment Plan in compliance with the provisions of Section 27295 of the Government Code to the extent applicable.

SECTION 11. This Ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By 
Harold Valderhaug, Deputy

MB:HOV:n
5-6-76
Or. Dept. E&D

-6-

MICROFILMED

MAY 10 1978

01658

11850

Passed and adopted by the Council of The City of San Diego on JUN 2 1976,
 by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Hubbard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Floyd L. Morrow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Ellis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jess D. Haro	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON
 Mayor of The City of San Diego, California.

EDWARD NIELSEN
 City Clerk of The City of San Diego, California.

(Seal)

By Kathleen Martinez, 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

MAY 18 1976, and on JUN 2 1976.

~~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.

EDWARD NIELSEN
 City Clerk of The City of San Diego, California.

By Kathleen Martinez, Deputy.

RECEIVED
 CITY CLERK'S OFFICE
 1976 MAY 10 AM 10:28
 SAN DIEGO, CALIF.

MICROFILMED

MAY 10 1978
 CC-1255-A (REV. 12-75)

Office of the City Clerk, San Diego, California		
Ordinance Number	11850	Adopted JUN 2 1976

01659

fu