

(O-87-174)

ORDINANCE NUMBER O-16847 (NEW SERIES)

ADOPTED ON APR 20 1987

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING AND ADOPTING THE FOURTH AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE MARINA REDEVELOPMENT PROJECT.

WHEREAS, the Council of The City of San Diego (the "Council") on December 29, 1976 by Ordinance No. 11977 (New Series) approved and adopted the Redevelopment Plan for the Marina Redevelopment Project (the "Project"), and on August 4, 1980 by Ordinance No. O-15307 (New Series) approved and adopted a First Amendment to Redevelopment Plan for the Project, and on September 23, 1985 by Ordinance No. O-16508 (New Series) approved and adopted a Second Amendment to Redevelopment Plan for the Project, and on June 10, 1986 by Ordinance No. O-16668 (New Series) approved and adopted a Third Amendment to Redevelopment Plan for the Project; and

WHEREAS, the Redevelopment Agency of The City of San Diego (the "Agency") has prepared and submitted to the Council for review and approval, a Fourth Amendment to the Redevelopment Plan for the Project (the "Fourth Amendment"), a copy of which is on file in the office of the City Clerk as Document No. 00-16847, accompanied by a Report to Council on the proposed Fourth Amendment to the Redevelopment Plan; and

WHEREAS, the Planning Commission of The City of San Diego has submitted its report and recommendation, finding the proposed Fourth Amendment to the Redevelopment Plan to be in conformity

with the City's General Plan and recommending approval and adoption of the proposed Fourth Amendment; and

WHEREAS, the Agency and the Council have certified an Environmental Impact Secondary Study pertaining to the Fourth Amendment and prior environmental impact reports and documents prepared for the Project pursuant to the California Environmental Quality Act of 1970, and State and local regulations and guidelines adopted pursuant thereto, and adopted findings with respect to the environmental impacts of the Fourth Amendment as required by law; and

WHEREAS, after due notice, a joint public hearing was held by the Council and the Agency on the proposed Fourth Amendment; and

WHEREAS, at said joint public hearing, this Council heard and passed upon all oral and written objections by overruling such objections; 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. The legal description of the boundaries of the Project are as described in the description recorded with the County Recorder of the County of San Diego as Document No. 77-010208 on January 11, 1977.

Section 2. The purpose and intent of the Council with respect to the Project area were and are to:

A. Create a residential area oriented to San Diego Bay and Horton Plaza Redevelopment Project.

B. Create a modern urban center for the City of San Diego where a full range of activities and uses will take place and where a living and working environment exists for the use and enjoyment of all San Diegans.

C. Provide an environment where a socially balanced community can work and live by providing jobs and housing for persons of varying social, economic and ethnic groups.

D. Eliminate blighting influences and conditions, including incompatible and obnoxious land uses, obsolete structures, congested streets and inadequate parking facilities.

E. Eliminate environmental deficiencies, including among others, small and irregular lot and block subdivision, excessive streets and parking areas, economic and social deficiencies and inadequate utilization of land and public facilities.

F. Insure, to the greatest extent possible, that the causes of such blighting influences and conditions and such environmental deficiencies will be either eliminated or protected against.

G. Provide opportunities for participation for owners and tenants and a reasonable preference for persons engaged in business in the Project area.

H. Encourage the rehabilitation, rebuilding, and development of the Project area.

I. Encourage and foster the economic revitalization of the Project area.

J. Relocate the owners and occupants from properties within the Project area as needed.

K. Redevelop and rebuild the public facilities in the Project area to provide safer and more efficient services for the people in the area and the general public as a whole.

L. Preserve artistically and architecturally worthwhile structures and sites.

M. Minimize the conflict of pedestrian and automobile traffic, increase transportation efficiency and encourage new concepts of transportation.

N. Provide for the orderly development of a portion of the Centre City in accordance with the General Plan for the City of San Diego and the Centre City Community Plan.

O. Assemble adequate sites, and provide for and (as necessary) assist in the development and construction of residential dwellings and commercial uses in the Project area.

P. Upgrade the quality of life in downtown San Diego.

Q. Establish and implement design standards which assure development of outstanding architectural and environmental quality with special regard to the spatial relationship of open areas to building structures

(private and public), variety of building size, bulk and siting, activity areas, pedestrian spaces and other design elements which provide unity, integrity and quality to the entire Project.

Section 3. The Fourth Amendment to the Redevelopment Plan for the Project having been duly reviewed and considered, is hereby adopted and approved, and the City Clerk is hereby directed to file said copy of the Fourth Amendment to the Redevelopment Plan with the minutes of this meeting. Said Fourth Amendment to the Redevelopment Plan, a copy of which is on file in the office of the City Clerk as Document No. O-16847, is incorporated herein by reference and made a part hereof as if fully set out herein.

Section 4. Ordinance No. 11977 (New Series) and the Redevelopment Plan adopted pursuant thereto as the official Redevelopment Plan for the Project, as amended by Ordinance No. O-15307 (New Series) adopting the First Amendment, and Ordinance No. O-16508 (New Series) adopting the Second Amendment, and Ordinance No. O-16668 (New Series) adopting the Third Amendment, are hereby amended as set forth in this Fourth Amendment to the Redevelopment Plan, so that the Redevelopment Plan adopted by Ordinance No. 11977 (New Series) as amended by Ordinance No. O-15307 (New Series), Ordinance No. O-16508 (New Series) and Ordinance No. O-16668, as further amended by this Fourth Amendment, is hereby designated as the official Redevelopment Plan for the Project area.

Section 5. All written and oral objections to the Fourth Amendment to the Redevelopment Plan are hereby overruled.

Section 6. The Council hereby finds and determines that:

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

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

C. The adoption and carrying out of the Redevelopment Plan, as amended, is economically sound and feasible.

D. The Redevelopment Plan, as amended, conforms to the General Plan of The City of San Diego.

E. The carrying out of the Redevelopment Plan, as 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.

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

G. In the event any families and persons residing within the Project area are displaced by redevelopment activities:

1. The Agency has a feasible method and plan for the relocation of families and persons to be temporarily or permanently displaced from housing facilities in the Project area.

2. 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 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 place of employment.

H. 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 Project area; any such area included is necessary for the 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.

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

J. The effect of tax increment financing, as provided for in the Redevelopment Plan, as amended, will not cause significant financial burden or detriment on any taxing agency deriving revenues from the Project area.

Section 7. This Council is satisfied permanent housing facilities will be available within three years from the time occupants of the Project 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. Ordinance No. 11977 (New Series) as amended by Ordinance No. O-15307 (New Series), Ordinance No. O-16508 (New Series) and Ordinance No. O-16668 (New Series), shall remain in full force and effect except to the extent it is changed by this amending ordinance.

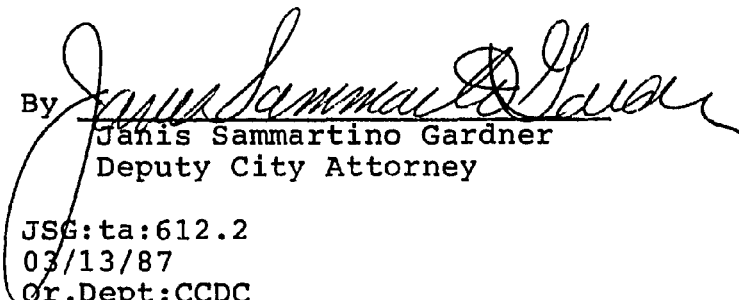
Section 9. The City Clerk is hereby directed to send a certified copy of this ordinance to the Agency and the Agency is hereby vested with the responsibility for carrying out the Redevelopment Plan, as amended, subject to the provisions of the Redevelopment Plan, as amended.

Section 10. The City Clerk hereby is directed to record with the County Recorder of San Diego County, a description of the land within the Project area and a statement that proceedings for the redevelopment of the Project area have been instituted under the California Community Redevelopment Law. The Agency hereby is directed to effectuate recordation in compliance with the provisions of Section 27295 of the Government Code to the extent applicable.

Section 11. This ordinance shall be in full force and effect ninety days after the second reading hereof.

APPROVED: John W. Witt, City Attorney

By


Janis Sammartino Gardner
Deputy City Attorney

JSG:ta:612.2
03/13/87
Or.Dept:CCDC
O-87-174
Form=o.amendp

APR 20 1987

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

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input 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 Struikma	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Celia Ballesteros	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR
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

MAR 31 1987

APR 20 1987

....., 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.

(Seal)

By *Ellen Board*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number J-16847 Adopted APR 20 1987

RECEIVED
CITY CLERK'S OFFICE

1967 MAR 19 PM 3:46

SAN DIEGO, CALIF.

CERTIFICATE OF PUBLICATION

CITY OF SAN DIEGO
202 C STREET, 2ND FLOOR
SAN DIEGO, CA 92101

IN THE MATTER OF
AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO
APPROVING AND ADOPTING THE FOURTH AMENDMENT TO THE
REDEVELOPMENT PLAN FOR THE MARINA REDEVELOPMENT
PROJECT

NO.

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WHEREAS, the Redevelopment Agency of The City of San Diego (the "Agency") has prepared and submitted to the Council for review and approval, a Fourth Amendment to the Redevelopment Plan for the Project (the "Fourth Amendment"), a copy of which is on file in the office of the City Clerk as Document No. OO-16847, accompanied by a Report to Council on the proposed Fourth Amendment to the Redevelopment Plan; and

WHEREAS, the Planning Commission of The City of San Diego has submitted its report and recommendation, finding the proposed Fourth Amendment to the Redevelopment Plan to be in conformity with the City's General Plan and recommending approval and adoption of the proposed Fourth Amendment; and

WHEREAS, the Agency and the Council have certified an Environmental Impact Secondary Study pertaining to the Fourth Amendment and prior environmental impact reports and documents prepared for the Project pursuant to the California Environmental Quality Act of 1970, and State and local regulations and guidelines adopted pursuant thereto, and adopted findings with respect to the environmental impacts of the Fourth Amendment as required by law; and

WHEREAS, after due notice, a joint public hearing was held by the Council and the Agency on the proposed Fourth Amendment; and

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

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B. Create a modern urban center for the City of San Diego where a full range of activities and uses will take place and where a living and working environment exists for the use and enjoyment of all San Diegans.

I, THOMAS D. KELLEHER, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

ORDINANCE NUMBER O-16847 (NEW SERIES)

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

MAY 4

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 4 day of MAY, 19 87.

Thomas D. Kelleher
(Signature)

$36\frac{3}{4}'' \times \$10.24 = \376.32

C. Provide an environment where a socially balanced community can work and live by providing jobs and housing for persons of varying social, economic and ethnic groups.

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Q. Establish and implement design standards which assure development of outstanding architectural and environmental quality with special regard to the spatial relationship of open areas to building structures (private and public), variety of building size, bulk and siting, activity areas, pedestrian spaces and other design elements which provide unity, integrity and quality to the entire Project.

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C. The adoption and carrying out of the Redevelopment Plan, as amended, is economically sound and feasible.

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

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H. 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 Project area; any such area included is necessary for the 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.

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

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Section 8. Ordinance No. 11977 (New Series) as amended by Ordinance No. O-15307 (New Series), Ordinance No. O-16508 (New Series) and Ordinance No. O-16668 (New Series), shall remain in full force and effect except to the extent it is changed by this amending ordinance.

Section 9. 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, as amended, subject to the provisions of the Redevelopment Plan, as amended.

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Section 11. This ordinance shall be in full force and effect ninety days after the second reading hereof.

Introduced on March 31, 1987
Passed and adopted by the Council of The City of San Diego on April 20, 1987

AUTHENTICATED BY: MAUREEN O'CONNOR
Mayor of The City of San Diego, California
CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California
By ELLEN BOVARD, Deputy
Pub. May 4